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# FIRST ANNUAL REPORT

*Stable*  
OF THE

## Industrial Commission of Virginia

REVIEWING THE ADMINISTRATION

OF THE

### Virginia Workmen's Compensation Act

For the Year Ending September 30, 1919



RICHMOND:  
DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING  
1920



**Letter of Transmittal.**

RICHMOND, VA., October 15, 1919.

To His Excellency, WESTMORELAND DAVIS,

*Governor of the State of Virginia.*

SIR:

Pursuant to section 56 of chapter 400, Session Laws of 1918, the Industrial Commission of Virginia has the honor to submit the accompanying report of its administration of the Virginia Workmen's Compensation Act for the year ending September 30, 1919.

Respectfully,

R. H. TUCKER, *Chairman.*

C. A. McHUGH,

C. G. KIZER.

Upd. 13.23.19a.  
Sent at 10.11.19

(RECAP)

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## Introductory Statement.

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The report which follows is intended to show the development and operation of the Virginia Workmen's Compensation Act during the year ending September 30, 1919.

For purposes of clearness the report is divided into sections, each covering a group of related problems or phases of the act. Section I sets out the more important problems of administration. Section II includes statistical tables showing accident and compensation experience under the act. Section III contains a summary of workmen's compensation legislation, so arranged as to facilitate comparisons between the Virginia law and the laws of other States. Section IV includes the opinions and decisions of the Industrial Commission.

The Virginia Workmen's Compensation Act was passed at the legislative session of 1918, and with the exception of section 52, creating the Industrial Commission of Virginia, became effective January 1, 1919. The latter section became effective October 1, 1918, and the work of the Commission began at that time.

The act includes within its operation all employers having regularly in service eleven or more persons, excepting farm laborers, domestic servants and employees of common carriers whose motive power is steam. It is one of the so-called elective acts as distinguished from the compulsory type; that is, the employer or the employee may elect not to operate under the act, but his acceptance of its provisions is presumed in the absence of specific notice to the contrary.

The act applies also to the State, the municipalities and other political sub-divisions of the State, irrespective of the number of persons employed and without the right to reject its provisions.

As indicated above, the actual operation of the act covers the nine months' period, January 1st to September 30, 1919. This fact should be kept in mind in connection with the data which follows. It should also be remembered that this period represents the act only in the preliminary stages of its development and that the work of administration is still in a formative state. Large increases may be expected, both in the figures and in the volume of work, as the law becomes better understood and approaches the point of full and effective operation.

According to the records of the Commission 4,095 employers (not including State and political sub-divisions), representing between 225,000 and 250,000 employees, complied with the conditions of the act. Only thirty-five employers, mostly small employers of labor, and twenty-four employees, rejected its provisions.

During the first nine months of the operation of the act, 10,920 industrial accidents of all kinds were reported to the Commission. Of these 10,920 accidents, 144 resulted in death.

Of the 144 fatal accidents reported, fifty-six are pending awaiting the result of investigation as to the existence of dependents and eighty-eight have

been disposed of. These eighty-eight cases were all men and seventy-one of them were married and left total dependents, while fourteen left partial dependents and three left no dependents. The total dependents consist of seventy-one widows and 131 children.

The estimated valuation of the awards made in death cases to all total and partial dependents is \$184,310.07, or an average of \$2,220.61 for each fatal case with dependents. No attempt is made here to calculate time loss or wage loss in death cases.

Of the 10,776 non-fatal cases reported, 2,767 resulted in disability of more than two weeks and would be entitled to compensation. Two non-fatal cases were permanent total disabilities and will receive a total compensation of \$7,980.00, one award being for \$10.00 per week for 400 weeks, making \$4,000.00 (the maximum), and the other for \$7.96 per week for 500 weeks (the maximum), making \$3,980.00.

The remaining 2,765 (non-fatal) compensable cases, with an estimated duration of disability (based upon the average as shown in this report), would represent 201,547 days time loss, and by applying the average award for disability would result in awards amounting to \$223,163.00 in addition to hospital and medical attention.

The 8,009 (non-fatal) non-compensable cases, similarly computed, would represent a time loss of 51,874 days.

In other words, all industrial accidents which did not result in death or permanent total disability would cause a loss of approximately 253,421 days or 36,203 weeks.

The above time loss of 36,203 weeks computed on the average weekly wage of \$23.85 would amount to an approximate wage loss of \$863,442.

Based on figures compiled from closed cases and appearing in the statistical tables, seventy-four per cent of all accidents were covered by insurance with stock, mutual or reciprocal companies, and twenty-six per cent were covered by self-insurance of employers, and the compensation was paid in practically the same ratio. Figures are not available, and it is impossible, at the present time, to make an accurate estimate of the combined total of medical and compensation benefits under the act.

The 2,911 cases of all kinds which involved payment of compensation were disposed of by the Commission as follows:

	Number of cases	Per cent.
Approved agreements .....	1,855	63.72
Modified agreements .....	379	13.02
Hearings .....	73	2.51
Disallowed .....	112*	3.85
Pending September 30.....	492	16.90
Total .....	2,911	100.00

Workmen's compensation is no longer an untried field. Introduced in the United States in 1911, the principle has spread until compensation laws have now been adopted by forty-two States, by three territories, and by the Fed-

\*Including a number of claims that did not properly come within the operation of the act.

eral government. These laws have nowhere been repealed and are everywhere growing in favor. Their success has been due to the fact that they meet the conditions of modern industry and are based upon principles of right and justice.

The Virginia law has, without question, fulfilled the expectations of its supporters. It has brought compensation to the injured employee at the time when relief was most needed, and the amounts, though moderate, have not been reduced by outside expenses. By removing the idea of "damages" for injury sustained in the course of employment it has reduced friction and promoted community of spirit between employer and employee. It has also proved a saving to the State through the elimination of negligence cases and has helped to relieve the poverty and destitution which follow in the train of industrial accidents.

One of the most gratifying results of administration so far has been the ease with which the provisions of the act are applied. Out of 2,911 cases involving claims for compensation, only seventy-three have required adjustment through formal hearing, and of these last only one has been appealed from the Commission to the courts. This result has been due in no small degree to the admirable spirit of co-operation shown by employers, employees and insurance carriers operating under the act.

Possible modifications in the law, suggested by experience in its administration, are recorded on page 23.

# I. Administration.

## 1. Preliminary Work.

The act (section 52) provides that its administration shall be vested in a Commission of three members, appointed by the Governor, and known as the Industrial Commission of Virginia. This Commission was created by the appointment of Robert H. Tucker, of Lexington, C. A. McHugh, of Roanoke, and C. G. Kizer, of Norfolk. The first meeting of the Commission was held in Richmond on October 8, 1918. At this meeting an organization was effected by the election of Commissioner Tucker as chairman and by the appointment of Commissioner McHugh to act as secretary until the election of a permanent secretary should be had.

At a subsequent meeting it was determined that the Commission as a body should visit the cities of Washington, Baltimore, Philadelphia, New York, Hartford and Boston for the purpose of examining the operation of similar acts in those jurisdictions and of obtaining such information as might be useful in the formulation of plans for its future work. This trip proved invaluable not only in giving the members of the Commission insight into the operation of workmen's compensation laws, but also in impressing them with the importance of the work ahead. The chairman was subsequently authorized to visit the New York Workmen's Compensation Bureau for the purpose of making an intensive study of the working of that bureau and of preparing forms for use under the Virginia law.

For courtesies shown and assistance rendered by officials of the various commissions, and particularly for the aid of Mr. William C. Archer, chief deputy in charge of the New York Workmen's Compensation Bureau, the Commission desires here to make record of its appreciation.

From November 1, 1918, to January 1, 1919, the Commission was in almost daily session. During this time the act was analyzed and forms prepared for its proper administration, many questions of coverage and insurance were considered and determined, conferences were held with employers and employees, and an organization was perfected adequately to meet the volume of details anticipated as soon as the act should become effective. It was also necessary to conduct a campaign of education concerning the new legislation. The great mass of our people, including employees generally, and practically all of the small employers, were uninformed as to the meaning and requirements of the law. Many indeed were unaware of the existence of the act.

To meet this situation, Bulletin No. 1 was issued and mailed to employers in all sections of the State. Copies of another pamphlet, Bulletin No. 2, summarizing information for the guidance of employees, were sent to all the labor organizations of the State and by them distributed to their members and others. Also, explanatory letters were sent to employers, to local representatives of employees, and to all the State departments and

political divisions. During December, 1918, and the opening months of 1919, the Commission sent out 14,000 general letters of instruction and printed and distributed 52,000 explanatory bulletins.

On November 2, A. C. Smith, of Buchanan county, was elected secretary of the Commission, his duties to begin on December 1. By January 1 the Commission had secured and fitted up its present offices on north Sixth street and so organized its office force that business could be conducted in the regular way from the beginning. In this way confusion was avoided and the initial details under the operation of the act were handled promptly and efficiently. No congestion has subsequently arisen in the work or calendar of the Commission.

## **2. Permanent Organization and Functions.**

The operation of a workmen's compensation law involves a large amount of detailed work. First and foremost, the principle must be established that every person entitled to compensation shall receive it promptly and with as little expense as possible. For this purpose efficient claims examiners are necessary, possessing not only the ability to analyze and pass upon accident reports, memoranda of agreements, etc., but also the judgment and tact required to promote adjustments and avoid unnecessary hearings. Where agreements fail, hearings must be held in various parts of the State.

But the settlement of claims for compensation represents, of course, only a part of the work of the Commission. The Commission is charged with the active administration of the law. It must, among other things, pass upon questions of coverage and enforce the general insurance provisions of the act; provide all necessary forms; examine and approve applications of employers desiring to carry their own risk; keep a record of insurance and cancellations; collect and analyze accident statistics; and adopt such rules and regulations as may be necessary to carry out the provisions of the law. It also undertakes to act in an advisory capacity, reconciling, so far as possible, the conflicting interests of employers, employees and insurance carriers. Since the act became effective on January 1, the Commission has handled hundreds of reports and special papers each day, and received and answered an average of more than 5,000 letters a month.

All this means a large volume of details, and to avoid confusion and delay, the work must be conducted with rigid system and care. A numerical case register and a cross index card system under the names of both employer and employee must be kept. All new matter must be indexed and registered. Reports and correspondence relative to reports already on file must be placed in proper folders and referred to the proper division for attention. All files and case-folders must be kept open until final receipt and supplementary report are received, when the case is marked closed and referred to the statistical department for record of necessary information.

The needs of this situation have been met by providing an adequate office force and separating the work into divisions covering administration and records, claims, assembling and filing, and insurance and accident statistics. The Commission also employs its own physician for advice on disputed medical questions and provides all necessary machinery for the investigation of



matters coming within its jurisdiction. In fact, it is this power of independent investigation that gives the Commission its effective position in the administration of the law. The organization and functions of the Commission are indicated by the diagram on the opposite page.

The Commission pursues an open-door policy in meeting employers, employees, insurance carriers and others concerned, its members being accessible at all times for consultation and advice. Much of its most effective work is accomplished through personal conferences. It bears in mind the remedial force of the law and attempts to make procedure as simple and direct as possible.

### 3. Plan of Settlement Under the Act.

The act provides that all agreements as to compensation shall be filed in prescribed form with the Industrial Commission for its approval or rejection.

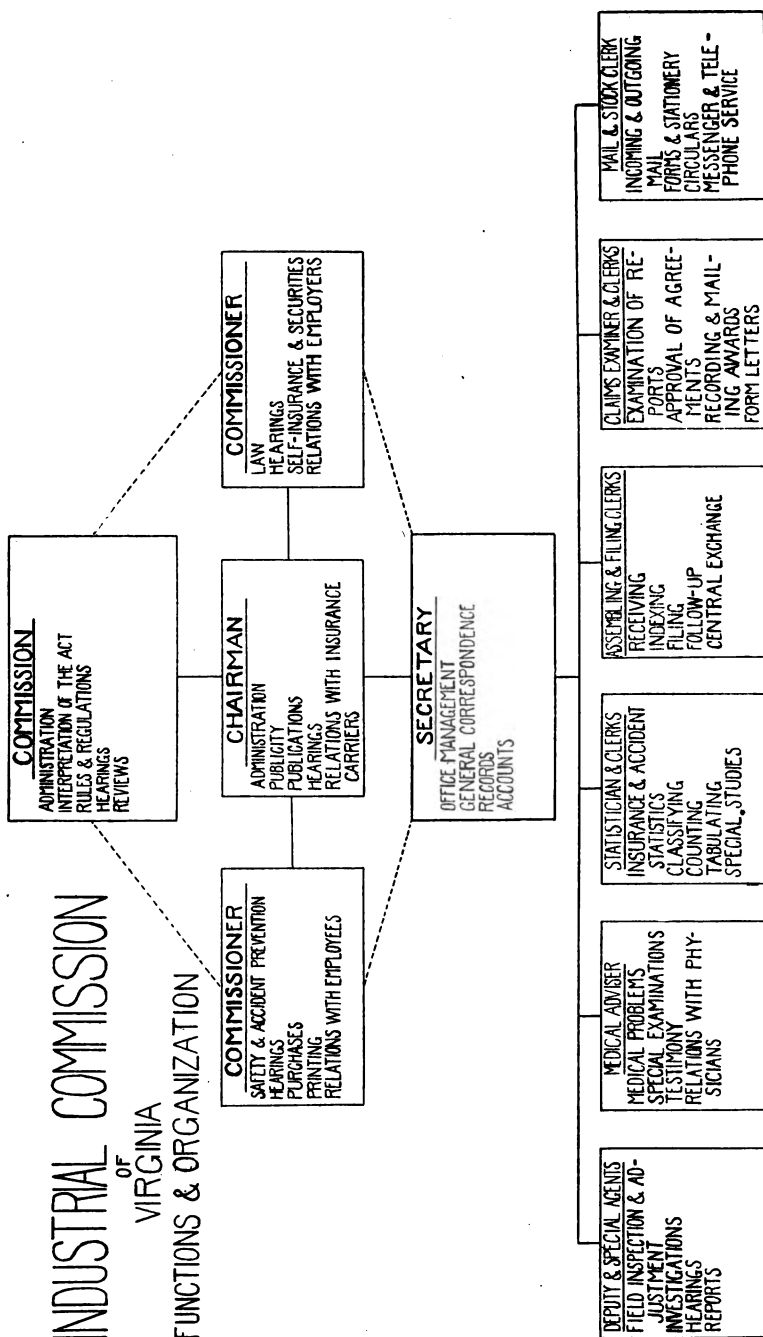
Within ten days after the occurrence of an accident to an employee causing his absence from work for more than seven days, the employer must notify the Commission on blanks provided for this purpose. The employee must also give notice within thirty days following the accident. Promptly upon the receipt of either of these reports, form letters are mailed to employer and employee, explaining the provisions of the law. In the great majority of cases these letters are sufficient to bring a memorandum of agreement as to compensation, signed by employer and employee and accompanied by a physician's report on the injury.

These papers are then checked carefully against the reports previously received, and if the agreement conforms to the conditions of the law, it is approved promptly and compensation payments begin forthwith. If there is an error in the form of agreement, correction is made through informal award, thus saving time and correspondence. When disability ceases and a final settlement receipt is filed by the employer or his insurance carrier, the case is closed. All approved agreements, however, and all awards of the Commission are subject to re-opening upon application of either party in interest.

Should the Commission, within thirty days following the accident, fail to receive a memorandum of agreement or a report showing that the injured employee returned to work within the fourteen-day period, follow-up letters are sent, and in case these bring no response, the employee is provided with an application for a hearing. As soon as possible after the receipt of this application, a date is set for a hearing, at which the case is determined as the facts may warrant.

As indicated elsewhere, the great majority of claims are settled through agreement between employer and employee. Where the employer is insured, the agreement is made by his insurance carrier.

The dangers of the direct settlement plan are recognized. Absence of complaint does not always indicate a fair settlement. At the same time, some such plan is all but a necessity in Virginia, where the area of the State is large and the industrial centers are widely separated. For this reason an effort is made to throw every safeguard around the parties concerned. Nearly one-fourth of the agreements that come before the Commis-



sion require correction or modification in one or more particulars. Here, as elsewhere, the Commission endeavors to serve as the impartial representative of both parties in interest.

In general it may be said that employers and insurance carriers have shown a commendable disposition to avoid technicalities and to settle claims on a broad and liberal basis, though there have naturally been a few exceptions to this statement.

#### 4. Hearings and Procedure.

Hearings may be held on the Commission's own motion, where the facts are too obscure for adjustment through the usual channels, or upon application of either party, in case of failure to reach an agreement or of dispute after an agreement has been made.

The act expressly stipulates that procedure under its provisions shall be "as summary and simple as reasonably may be." Hence, hearings before the Commission are in the nature of informal conferences in which technicalities are brushed aside, so far as this may safely be done, and an effort made to develop the facts and bring the parties together in a spirit of justice and mutual understanding. The Commission is not bound by the usual common law and statutory rules of pleading and evidence, and insists upon conducting such investigations as, in its judgment, will determine quickly and accurately the questions at issue and burden the parties with a minimum of inconvenience and expense.

Similarly, the act provides that, unless otherwise agreed to, hearings shall be held in the city or county where the accident occurred. This provision greatly increases the labor and expense of administration, but experience has demonstrated its wisdom. Claimants in compensation cases are usually in poor financial circumstances, and employers would also be subject to severe losses if long trips were required.

At the same time the system does result in delay. Accidents frequently occur at isolated points, and applications must naturally be held until there is a reasonable accumulation of cases in a given section of the State. This condition could be relieved by a modification in the provisions of the law so as to permit the selection of certain centers for holding hearings periodically for all the points within a radius of, say, thirty or forty miles.

It has already been found advisable to open a branch office in Bristol, Virginia, in charge of a deputy, accessible to points in Southwest Virginia.

#### 5. Appeals.

When a hearing is held before a single Commissioner or a deputy, appeal may be taken, within seven days, to the full Commission. Awards of the full Commission are conclusive and binding as to all questions of fact, but either party may, within thirty days, appeal to the courts on questions of law.

From the seventy-three decisions made in hearings before the Commission up to September 30, 1919, there has been but one appeal. This was taken on the award made in the case of *Bray vs. Phaup and Tinsley*, rendered March 13, 1919. This award was upheld in every respect by the law

and Equity Court of the City of Richmond. Memorandum of this case, together with the decision of the Law and Equity Court, will be found on page 97.

## 6. Insurance.

Section 68 of the act requires the employer to insure his compensation liability or to satisfy the Industrial Commission of his ability to carry his own risk, upon deposit of such bond or other security as may be deemed proper. Other insurance provisions of the act refer to form of policies, rates, notices, penalties and general administration. The administration of these provisions is divided between the State Insurance Department and the Industrial Commission, the former, broadly speaking, having control of rates and solvency of carriers, and the latter having charge of enforcement, policy forms, and conditions of self-insurance.

### CASUALTY COMPANIES.

Twenty-five casualty companies were authorized to transact the business of workmen's compensation insurance under the provisions of the act. Of this number, eight companies wrote approximately seventy per cent of the compensation business.

Aside from the settlement of claims, the principal problems arising in connection with these companies had to do with forms of policies, extension of outstanding employers' liability policies, and the filing of notices of insurance.

For reasons of convenience and uniformity, the Universal Standard Workmen's Compensation Policy, now in use in about twenty States, was adopted as the standard policy in this State. Employers' liability policies outstanding on December 1, 1918, were permitted to continue until their expiration, not later than December 1, 1919, by the attachment of an approved form of endorsement bringing them specifically within the provisions of the Workmen's Compensation Act. Under a special arrangement notices of insurance and cancellation are filed with the Commission by the Virginia Workmen's Compensation Inspection Rating Bureau, an organization formed by the carriers for rate-making and inspection purposes.

### SELF-INSURANCE.

This term means the privilege of carrying one's own risk under the Workmen's Compensation Act. The act very properly allows this privilege to employers upon submission of satisfactory proof of financial ability, and upon deposit of such bond or other security as the Commission may deem requisite.

This provision of the act places a serious responsibility upon the Commission. Obviously the primary purpose of the act is to secure to the injured employee, or his dependents, certain and definite payment of compensation when due. Compensation insurance, however, differs from ordinary insurance in that its obligations are met, not in one payment, but in small weekly or monthly payments, extending in some cases over a period of five hundred weeks, or nearly ten years. In other words, the Commission has to decide not

only that the applicant for self-insurance is solvent, but that his solvency will continue. The uncertainties of the business world serve to emphasize the difficulties of this task. It has been found necessary, therefore, to require a thorough financial statement in each case and to fix \$5,000.00 as the minimum bond or other security to be deposited, the total amount of such bond or security to be determined by such factors as financial condition, hazard of industry, number of employees, etc.

For the year ending September 30, 1919, certificates of self-insurance were granted to ninety-four employers in the State. Naturally these employers represented mainly the larger business enterprises of the State. The privilege was not limited to these enterprises, however, and a number of smaller employers of labor were able to meet the required conditions. In all, the number of employees covered in this way was approximately 55,000, or between twenty and twenty-five per cent of the total number of employees under the act.

#### RECIPROCAL EXCHANGES.

By far the most difficult insurance problem that confronted the Commission arose in connection with the so-called reciprocal exchanges. Basing their claims upon a proviso contained in section 68 of the act, a number of reciprocal exchanges applied, early in November, 1918, to the State Insurance Department for license to enter the field of workmen's compensation insurance in the State. Failing to secure such license under the general insurance laws of the State, they then turned to the Industrial Commission.

The entire question was referred to the office of the Attorney General, who in his reply to the State Commissioner of Insurance, dated December 11, 1918, outlined the duties and powers of the Commission in the following language:

"It would seem from a reading of this act that large discretion is vested in the Industrial Commission and that if an employer furnished to the Commission evidence as set forth in that portion of section 68 quoted above, the Commission may or may not, in its discretion, accept the same.

"However, there might be some question raised as to the enforcement of the claim against an association who is not authorized to do business in Virginia by reason of the fact that if suit were necessary there might arise complications which could not be easily overcome.

"Due to these facts, I think the Industrial Commission should very closely scrutinize all associations who are offered by employers of this State as security for their ability to pay direct the compensation provided in this act where such association is a foreign association and has no agent in Virginia and is not authorized to do business in Virginia."

After careful study of the question, in connection with all the insurance provisions of the act, the Commission took the ground that the proviso of section 68 entitled the claims of the reciprocal exchanges to consideration, but that in this proviso the legislative intent could not conceivably have been to reduce the powers of the Commission granted in the preceding paragraph of the same section, or to conflict with the other insurance provisions of the act, notably sections 74 and 75, or to abrogate the general insurance laws of the State. The Commission was further inclined to this view because any other position would have opened the State to unregulated insurance, making



it possible for any reciprocal exchange, at that time in solvent condition, to undertake workmen's compensation insurance in the State, regardless of its manner of doing business or of disposing of its funds.

The Commission, therefore, adopted the following regulations governing foreign mutual or reciprocal associations or exchanges:

"Solely for the purpose of enabling employers to avail themselves of the proviso contained in section 68 of the Workmen's Compensation Act, and in conformity with the other provisions of the act, the following restrictions and conditions are hereby imposed by the Industrial Commission of Virginia upon associations exchanging contracts of insurance with employers in this State under the Workmen's Compensation Act as contemplated in said proviso.

"Compliance with these requirements by any such association or group of employers will obviate the necessity of filing with each application the proofs otherwise required by said proviso.

"1. Such association, through its authorized common attorney-in-fact, shall file with the Industrial Commission of Virginia a verified financial statement as of the preceding 31st of December, showing the association to be in a solvent condition with unimpaired assets of not less than \$100,000.00 and a surplus of not less than \$20,000.00 and with a membership having an aggregate pay-roll of at least \$2,500,000 participating in the said association. With such financial statement, its said attorney-in-fact shall also file a certificate of authority issued by the insurance department of its home State, and, if practicable, of another State in which it is transacting compensation inter-insurance.

"2. Said attorney-in-fact shall also file for the approval of the Commission a copy of the form of power of attorney under which the insurance is effected, together with a copy of the by-laws or other articles of association evidencing the contract between the association and its membership. He shall also file an instrument in writing, executed by the proper officers of said association, appointing the secretary of the Industrial Commission of Virginia its agent for the service of process in all suits brought in this State out of policies, contracts or agreements with employers in this State.

"3. He shall also file a copy of the form of policy proposed to be issued to employers in this State, which must be approved by the Industrial Commission. Such policy shall conform fully to the insurance policy provisions of the Virginia Workmen's Compensation Act and shall bind the association in every respect to abide by and be amenable to the provisions of the said act.

"The premiums shall be written at rates approved by the Commissioner of Insurance of Virginia for all other compensation carriers in this State.

"4. Such association shall deposit with the State Treasurer of Virginia bonds of the United States, or of the State of Virginia, or of some municipality in the State, in the sum of \$10,000.00 with power of attorney to the Industrial Commission of Virginia to sell said bonds upon default on the part of said association in promptly meeting the awards of said Commission as and when made. The Commission reserves the right to require such additional deposit as the character of the risks assumed by the individual carrier may, in its judgment, make necessary.

"5. Said association shall maintain in the State of Virginia, as a reserve fund available for the payment of liabilities arising under policies issued to Virginia employers, a sum in cash or securities acceptable to the Industrial Commission, equal to thirty-five per cent of the aggregate gross annual premiums collected from and credited to the accounts of

Virginia employers on policy contracts or agreements having one year or less to run; and pro rata on policy contracts having a longer period to run. 'Gross annual premiums' shall be construed to mean the premiums charged to and collected from the Virginia employers upon the policy contracts issued to such employers. Such reserve funds shall be deposited with trustees to be approved by the Industrial Commission of Virginia.

"6. The association shall file with the Commissioner of Insurance duly certified returns as to the premiums collected from its Virginia employers and pay the tax thereon as provided in section 75 of the act.

"7. The attorney-in-fact shall file with the Industrial Commission of Virginia his bond in such sum as may be provided for in his power-of-attorney, which in no case shall be less than \$50,000.00 with corporate surety; except that if the attorney-in-fact is required to file bond in the State of domicile, satisfactory evidence that such bond has been filed with proper security in an amount of not less than \$50,000.00 shall be held as sufficient compliance with this section.

"8. That in cases where a continuing liability in such association to pay compensation for a fixed and definite period on account of the injury or death of an employee of any Virginia employer having a policy contract with that association and the amount of said liability has been determined, either by an agreement approved or an award made by the Industrial Commission, such association shall, when required to do so by the Industrial Commission, make, within ten days after the determination and notice of such liability, a special deposit of the full amount thereof in some bank or trust company in the State of Virginia approved by the Industrial Commission, such special deposit to be paid out by said bank or trust company upon check issued by said association and payable to the injured person, or his beneficiaries, in the instalments as provided by the award or approved agreement, all interest on such deposit to revert to the association together with any balance thereof which may remain after all compensation instalments have been paid or satisfied.

"9. The attorney-in-fact shall on or before the 31st day of January and July in each year file with the Industrial Commission, under oath, as of the first day of each of said months, a list of the names with the post-office addresses of the Virginia employers who are members of such association and any additional information the Commission may require.

"The attorney-in-fact, or other proper officer of the association, shall file with the Industrial Commission as of each succeeding December 31st a sworn financial statement setting forth its true financial condition on that date, such statement to be filed not later than March 1st of each year. The Commission may, at any time, require such further information as to the operation and business of the association as it may deem desirable.

"11. Such association, through its attorney-in-fact or other properly constituted officer, shall file with the Industrial Commission an instrument in writing, agreeing to abide by all of the restrictions and conditions hereby imposed as well as such other regulations and restrictions as may hereafter be deemed proper or necessary by the Industrial Commission of Virginia."

Three of the reciprocal exchanges complied with the conditions and were duly authorized to transact business under the Workmen's Compensation Act.

Without entering upon the merits or demerits of this particular form of insurance, the Commission would venture to suggest that it is a proper subject for the general insurance laws of the State, rather than for the Workmen's Compensation Act, the Commission, as now constituted, having neither the time nor the technical machinery for the supervision and control which the insurance business has shown itself to require.

This matter should, in our opinion, be taken up at the coming session of the legislature, and disposed of as the circumstances may warrant. We should not, on the one hand, ignore the fact that many of the inter-insurance organizations have been in honorable operation for years, nor should we, on the other hand, forget that workmen's compensation insurance differs widely from fire insurance, in connection with which inter-insurance has chiefly been developed.

The question is one for careful investigation and study, free from the prejudice and antagonisms that have so frequently characterized the consideration of the subject in the past. In any conclusion that may be reached, however, the fact should not be overlooked that workmen's compensation insurance imposes certain obligations, such as reporting accidents and prompt provision for compensation, medical services, etc., which require the maintenance, on the part of the insurance carrier, of an efficient office organization within the State. Smaller employers of labor are slow to perform these functions efficiently when left to their own resources.

### 7. State Departments and Political Divisions.

The failure of many of the political divisions of the State to respond fully to the conditions of the act marks the only point at which the operation of the act may be said to have fallen short of reasonable expectation. In the opening section of the act the term "employer" is defined to include not only private employers, but also "the State and any municipal corporation within the State or any political division thereof." In section 8 acceptance of the provisions of the act is made obligatory upon the State and its political divisions and their employees. It follows, therefore, that the State departments and political divisions are everywhere under the same obligations as private employers with respect to provision for compensation liability, reporting accidents, etc. Clearly the State intended by the act to impose upon itself and its sub-divisions the same duties and obligations as were placed upon private employers.

As there can be no question as to the ability of State departments and sub-divisions to pay compensation when due, the Commission, in December, 1918, adopted the policy of approving self-insurance on their part, without requiring proof of financial ability or deposit of bond or security, and designed a special form to make procedure here as simple and easy as possible. It also addressed explanatory letters to the chief officers of the various political divisions and followed these up with no less than two similar letters between January 1 and March 30, 1919. In these letters it urged the creation of a compensation fund and the selection of a single official in each political unit to assume responsibility for matters arising under the Workmen's Compensation Act. The results are indicated in the following table:

	Total number.	Number complying.
State departments .....	66	53
Cities .....	22	17
Counties .....	100	35
Towns* .....	189	86
City schools .....	22	14
County schools.....	100	62

\*Many unincorporated towns have no employees and hence would not be included under the act.

With reference to reporting accidents and payment of the four per cent premium tax, required by sections 67 and 75 (j) of the act, the results have been even less satisfactory. It is safe to say that for the nine months ending September 30, not more than fifty accidents to public employees were reported as provided by law. It may be that these employees are singularly immune to injury in the course of their employment, but this theory is not borne out by the published records of other States.

After due consideration, the conclusion was reached that it would serve no useful purpose, in the opening months of the operation of the law, to invoke its penalty provisions with reference to political divisions of the State. Among the considerations which inclined the Commission to this view was the fact that under the provisions of the act an award of compensation will lie against all the taxable property of a given political division, thus removing uncertainty as to payment, and the further fact that contributions to the four per cent maintenance fund from other sources have proved ample for the present needs.

The act might perhaps be so amended as to relieve the State departments and political divisions of obligation with reference to the four per cent premium tax. The political divisions should, however, make provision for their compensation liability and they should, above all, remain under the same obligation as private employers with reference to prompt and accurate reporting of accidents. Each political unit should place this work upon a business basis and designate some one official who shall be responsible for its proper performance.

### **8. Medical and Legal Services and Fees.**

It has frequently been said that workmen's compensation laws represent a transfer of jurisdiction from the courts to physicians. This statement is exaggerated, but it contains an element of truth. Many of the cases arising under the act are such as to require the advice and judgment of a trained physician. The general results of compensation laws have been to increase both the income and the field for service of the medical profession as a whole.

Deficient medical reports make one of the most serious problems of the Commission. Unless the examining physician is careful in the investigation of his cases and in the terminology used in making reports, these reports are often misleading. It has been found necessary, therefore, to secure the services of a medical examiner, who not only advises the Commission in doubtful cases arising in connection with claims, but also supervises the work of examining physicians throughout the State.

The fees of attorneys and physicians and the charges of hospitals in connection with cases arising under the act have been very properly made subject to the approval of the Industrial Commission, the act providing that medical and hospital fees shall be reasonable with reference to the locality and the standard of living of the persons treated. Contrary to the experience of many States under workmen's compensation acts, little or no trouble has arisen with respect to medical fees. In a very few instances, inflated bills due to high charges or to unnecessary prolongation of services have been brought to the attention of the Commission and reductions have been ordered.

but in the main, physicians and surgeons have amply vindicated the high code of ethics which has characterized the profession in this State.

The foregoing applies with equal force to the legal profession. There has been some tendency, here and there, to introduce legal services where they were not needed and to demand the old fifty per cent arrangement in vogue when compensation cases had to be fought through all the courts, but it can be truthfully said that most of the lawyers of the State have handled their compensation cases with rare tact and consideration. Certainly the greater part of the profession have been quick to recognize the contention that workmen's compensation acts are designed to make legal services unnecessary in all but exceptional cases, and that where compensation benefits are small, the needs of the injured worker are paramount.

The Commission has attempted to establish no rule or definite schedule of legal fees, but the practice has been to measure fees according to services actually rendered, the range being usually from five to ten per cent of the amount recovered. In this connection it may be pointed out that this policy is in keeping with the policy of other similar commissions and that the recent Federal Soldiers' and Sailors' Insurance Act sets the limit at five per cent of the amount recovered.

## **9. Forms and Accident Reports.**

A list and description of forms required in the administration of the act is printed on page 118 of this report.

Employers sometimes look upon forms as "red tape" designed especially to increase their burdens. Just the opposite is true. The Workmen's Compensation Act covers between five and six thousand employers and several hundred thousand employees. There are many complex details incident to its administration, for whose intelligent consideration concise and accurate data are necessary. Experience has shown the necessity of standardized forms in matters of this kind. Without these forms the work of the Commission would be carried on under chaotic conditions, and employers and others would be subject to endless correspondence and trouble; in fact, the successful administration of the act would be impossible.

The foregoing is also true with reference to accident reports. The act recognizes this when it provides for the prompt reporting of accidents and lays penalties for failure to make the reports in the manner prescribed by law. All injuries occurring to employees during working hours should be recorded and reported promptly on the forms provided for this purpose. Questions as to whether the injury arose out of and in the course of employment are to be decided not by the employer, but through the machinery provided by the act. Any other policy is bound to result in injustice.

Naturally there has been some misunderstanding, resulting in unnecessary delays and perhaps many omissions in reporting. This must always be the case in the first year of operation of a workmen's compensation act. Industries are in the process of adapting themselves to the new conditions, employers do not always foresee the necessity of providing special machinery to meet the requirements of the act, and people in general are slow in familiarizing themselves with a new piece of legislation. The Commission has



therefore not sought to be technical. The great body of employers have shown a disposition to co-operate and usually it has been sufficient to call attention to the requirements of the law. Measures are being taken, however, to bring accident reporting to a higher standard of efficiency for the coming year.

### 10. Statistics.

Closely connected with the reporting of accidents is the subject of accident statistics. Statistics occupy the same position in the work of an industrial accident board or commission that accounting occupies in the organization of a business enterprise. Both aim to produce the accurate and prompt information essential to progress and success. Statistics are dry only to persons who fail to read the story behind the tables and figures.

The employer who goes to trouble and expense to make his accident reports dependable and accurate is rendering a service to himself, as well as to his fellow employers and the State. Without reliable data collected from all available sources, and comparable from year to year, there can be no development of accident prevention along broad lines, no accurate computation of insurance costs, and no reliable tests of the administration of a workmen's compensation act. At least two of these problems are pressing in Virginia at the present time, and their solution must be found not in guesswork but in the study of collected and classified facts of experience. And it is manifestly important that these facts should be in the possession of the public, or its representatives, as well as in the hands of persons engaged in the business of selling compensation insurance.

Effort has been made, therefore, to place this work upon a correct basis from the beginning, so that after the expiration of a reasonable period of time it will be possible to draw trustworthy conclusions concerning such things as the causes of accidents, the nature and extent of injuries, the distribution of compensation benefits, and the reasonable costs of insurance in the different industrial groups of this State.

The statistical tables contained in Section II. have been prepared under the supervision of Mr. R. J. Hoage, chief statistician of the United States Employees' Compensation Commission, Washington, D. C.

### 11. Accident Prevention and Rehabilitation.

The underlying purpose of all compensation legislation is to attack the problem of industrial accidents from the point of view of society as a whole. This point of view emphasizes, aside from the human aspects, the enormous social waste which work accidents cause in loss of time and productive efficiency. It sees in such legislation a consistent plan of conservation which is working itself out in other fields as well.

Workmen's compensation takes up the accident at the point of its occurrence and follows it with relief through a definite period of weeks. In so doing, however, it meets the problem only in part. Preceding this point is the problem of accident prevention and following it is the problem of rehabilitation of industrial cripples.

The Virginia act recognizes the importance of accident prevention. The

first clause of its title designates it, "an act to prevent industrial accidents." It also encourages the employer in his effort to promote safety by providing that due weight shall be given to merit-rating in the determination of insurance rates. It fails, however, to correlate the work of the Industrial Commission with the safety work of the State and to place the Commission in a position to exert an influence on accident prevention along broader lines. Employers, alive to the advantages of safety management, are accomplishing much in this work. They could accomplish more with more co-operation of some body like the Commission in possession of the broader facts of accident experience in the State.

But what fate awaits the cripple still disabled when the compensation period ceases, and what saving may be accomplished by bringing him back, at the earliest possible moment, to his former earning capacity?

This problem cannot be left to private initiative. It is distinctly a problem of the State. The world war has brought valuable lessons in the possibilities of rehabilitation, and the Federal government has pointed the way in its extensive provision for the restoration of crippled soldiers and sailors. There is also pending in Congress at the present time a bill to provide a plan of rehabilitation of industrial cripples through co-operation of the Federal government and the States.

What the government is doing for war cripples, the States will eventually do for industrial cripples. The question is uppermost in the minds of the public and several States have already taken action for the establishment of hospitals to promote rehabilitation work. Virginia is rapidly becoming an industrial State, and will not overlook its duty to its industrial cripples. The work of rehabilitation will undoubtedly become one of the administrative functions of the Industrial Commission in the future. The object is not charity, not simply to restore these unfortunates to human happiness and expression, but to avoid waste and to conserve human energy by re-establishing men in useful and productive employment.

## 12. Income and Expenditures.

The work of the Commission is sustained through a fund created by means of a four per cent tax laid upon the premiums of insurance carriers and the estimated premiums of self-insurers operating under the act, and collectible semi-annually. For the purpose of meeting the initial expenses of putting the act into operation, the sum of ten thousand dollars was appropriated, to be repaid to the State out of the fund mentioned above. This sum was returned to the State Treasury on September 30, 1919.

For the six months ending June 30, 1919, the yield of the four per cent premium tax has been \$64,072.49, with about \$7,000.00 still due, making a total of \$71,000.00. Sources of amounts collected were as follows:

Insurance companies .....	\$45,427 79
Self-insurers .....	17,703 20
State and political divisions .....	941 50

The expenditures of the Commission for the year, October 1, 1918, to September 30, 1919, were as follows:

*Expenses of Operation:*

**A PERSONAL SERVICE:**

**A-1 Salaries:**

Commissioners .....	\$10,800 00
Secretary .....	1,666 62
Claims examiners .....	2,694 60
Medical examiners .....	850 00
Statistician .....	298 16
Deputy and special agents .....	740 75
Stenographers .....	2,986 86
Clerks .....	2,161 33

**A-3 Special payments .....** 816 95

**\$23,015 27**

**B CONTRACTUAL SERVICES:**

B-4 Traveling .....	\$ 2,255 24
B-5 Transportation .....	44 39
B-6 Communication .....	
Postage .....	1,533 61
Telephone and telegraph .....	175 69
B-7 Printing, other than office supplies .....	3,651 01

**7,659 94**

**C SUPPLIES:**

**C-4 Office supplies .....** \$ 1,140 23

**1,140 23**

*Capital Outlays:*

**E EQUIPMENT:**

**E-1 Office equipment:**

Furniture and filing cases .....	\$ 2,744 45
Typewriters .....	905 75
Books .....	357 77
Addressograph .....	292 73
Adding machine .....	220 50
Other office equipment .....	524 36

**5,045 56**

**G FIXED CHARGES:**

G-3 Rent .....	\$ 1,056 97
G-4 Insurance .....	28 99

**1,085 96**

**Total.....** \$ 37,946 96

### 13. Economy and Efficiency.

The foregoing expenditures have been made with every consideration of economy, in so far as economy was consistent with efficiency. Frequently differences in public expenditures measure only differences in administrative

policy. The Commission has felt that the interests involved are such as to make effective administration the foremost consideration, and has endeavored to give what might deservedly be called a business administration. Such administration requires an active, rather than a passive, policy.

No small difficulty has been encountered in accomplishing this and at the same time keeping within reasonable limits in expenditure. The great bulk of the Commission's work must be conducted through its central office and much of this work calls for a high degree of clerical skill. Purchases of equipment also had to be made at a time when prices were unusually high.

One thing that has helped in this situation has been the spirit of loyalty and co-operation displayed by the office force. Another has been the policy, adopted early in the year, of establishing a function or making a purchase only when its need became perfectly clear. Thus the need of field work did not become pressing until early in May, and it was unnecessary to establish the statistical work on its present basis until late in the summer. Both of these functions will show themselves more clearly in the budget in the future and will undoubtedly absorb a part of the increase in expenditure which may normally be expected for the coming year.

#### **14. Suggested Changes in the Law.**

At the same session at which the Workmen's Compensation Act was passed, the legislature, by concurrent resolution, appointed a committee to investigate fully and report at the approaching session on the subject of a State fund for workmen's compensation insurance, and this committee is now making a thorough study of the subject. Likewise, the matter of increases in the weekly benefits under the law involves questions which are properly subject to consideration by the legislature and representatives of employers and employees. On these two subjects the Commission, therefore, refrains from expressing an opinion at this time beyond saying that they should, and undoubtedly will, receive careful consideration at the coming legislative session.

The suggestions contained in the following, however, bear more particularly upon administrative details and inequalities disclosed in the law's operation, and the Commission feels it its duty to bring them to the attention of the legislature with a view to perfecting the act. The Commission feels, furthermore, that many desired changes in the act could be effected without working any increase in the premium rates now charged by insurance carriers; for, aside from the technicalities involved in individual rates, there is every indication to support the belief that the general level of compensation insurance rates in this State has been unduly high.

1. The act, section 2 (c) should be amended so that compensation be based upon the daily wage at the time of the injury or upon average weekly wages for a period of not more than ninety days preceding the injury.

The present system is too complicated. The smaller employer of labor finds it a hardship to be compelled to re-open his books and calculate wages, time loss, etc., for an entire year. The employee is placed at a disadvantage, as he rarely knows what his wages were months in the past. In addition, he

is penalized for loss of time, less than seven consecutive days, on account of sickness and does not get the benefit of increases in wages which may have been made just before the injury.

2. Section 12 should be so amended as to subrogate the employer to rights of the employee against third persons and provide that recovery in excess of compensation be paid to the employee.

3. Section 15, defining the number of employees necessary to bring an employer under the act, should be amended by striking out the word "eleven" and substituting "seven" or "five," preferably the latter, in lieu thereof.

Limiting the number to eleven in this case deprives a great many employees of the benefits of the act and creates too much discrimination in certain classes of industries.

4. Section 26 should be amended so as to extend the period of medical attention to cover the entire period of disability caused by the accident, unless the circumstances should, in the opinion of the Commission, render earlier discontinuance fair and proper.

It is to the mutual advantage of employer and employee that this be done. Recovery is of paramount importance to the employee and it is equally important to the employer that the employee be restored as soon as possible, so that compensation payments may cease. The experience of the Commission shows that in a great many cases, particularly of large employers, medical benefits have been extended far beyond the thirty-day period, and until recovery. On the other hand, some injured employees have been compelled to pay for medical and hospital services, required beyond the thirty-day period, considerably more than the total amount of compensation received.

5. Section 29. Waiting period should be reduced from fourteen days to seven days. One of the main purposes of the waiting period is to discourage malingering and seven days will accomplish this just as effectively as will fourteen days. Thirty-two States now provide for a shorter waiting period. In twenty-six States it is seven days or less.

6. Section 32 should be so amended as to include "loss of use." Loss of use is usually just as serious as actual physical loss. In some cases the employee would be better off without the injured member.

This section should be further amended, as to paragraph (q), so as to substitute "permanent total loss of vision of an eye" for the verbiage now used in the statute, namely, "loss of an eye," and so as to provide also for partial loss of vision. The Commission has construed the intent of this paragraph as being in accordance with the change here suggested, but feels that the letter of the law should accord with its spirit.

7. Sections 39 and 40. Maximum allowance for burial expenses should be increased from \$100 to \$150.

8. Section 39 should be so amended as to provide a minimum compensation of \$1,000, payable in weekly or monthly installments, where a killed employee leaves as partial dependents either a father or a mother or infant brothers or sisters.

Experience has shown that the rule as at present provided in the statute has resulted in awards that shock the sense of justice and tend to

bring the law into disrepute. In one instance the father of a killed employee received but \$460 for the death of his infant son.

9. Section 67 should be so amended as to require report to the Industrial Commission of all accidents causing disability beyond the day on which the accident occurred.

This change would simplify matters for the great body of employers, avoid the necessity of quarterly reports, and place the Commission in possession of important and necessary data. Insurance carriers already require reports of all accidents from their assureds and the carriers in turn report for their assureds to the Commission. It would be simpler and easier for all concerned to have all these accidents reported immediately to the Commission.

## II. Statistical Tables.

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The subject of statistics has been discussed, in a general way, on page 20 of this report. Statistics are not for the purpose of filling space and should be definite in setting forth fundamental principles and showing as nearly as possible the exact experience. Some fail to appreciate their value, or what they are intended to show, until confronted by some problem which makes it necessary to have definite figures based upon past operations.

To be of practical value the statistics of the Compensation Act should furnish the doctor with a report as to medical treatment, also the duration of disability for certain injuries. The lawyer should be advised as to what allowances are made and hence the privileges and liabilities of his clients under the Act. The employer should be advised of financial experience in respect to injuries, and also the causes of occurrence. The employee should be enabled to see what his fellow-workmen have been securing, and last but not least, the public should know what has been done. All this is set forth more concisely in statistical data than in any other way.

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The statistical tables in this report are based upon cases closed or those upon which a definite award had been made prior to September 30, 1919, and should not be confused with the number of cases reported.

The complete experience upon a certain number of cases is of value in computing future awards and for this reason that basis has been used.

The attempt has not been made to compute the outstanding liabilities on incomplete cases, one of the reasons being that the experience is not yet of sufficient magnitude to be of value, and the collection of premiums or the establishing of rates is not incumbent upon this Commission.

The accidents are divided into three classes: (1) Those which resulted in temporary disability; (2) Those which resulted in permanent disability, partial and total; and, (3) Those which resulted in death. The temporary disabilities analyzed are those which were closed, payments having been completed, on or before September 30th. The permanent disabilities and fatal cases analyzed are those in which definite awards were made on or before September 30th, though payments were continuing in many of them on that date.

As has been stated in the introduction to this report, 10,920 industrial accidents of all kinds were reported to the Commission in the quarterly reports as having occurred in the nine months under consideration. Detailed reports, sufficiently full for analysis, were received on 6,161 accidents, but are not available on all accidents: First, because the importance of reporting non-compensable cases is not realized by employers throughout the State; and, second, because the law does not require any report, other than quarterly (which reports are not in detail), on accidents producing disability of from

one to seven days, which constitute a large part of all accidents. However, some such accidents have been reported in detail and are included in the tables which follow.

The following statement shows the number of detailed reports received and what disposition has been made of them with reference to the statistical study.

Accidents reported		
Non-fatal.....	6,017	
Fatal.....	144	
Total.....		6,161
Pending and payments continuing		
Non-fatal.....	1,183	
Fatal.....	56	
Total.....		1,239
Total cases covered in this report.....		4,922

## SCHEDULE OF COMPENSATION

EXTENT OF DISABILITY	Per Cent of Wages	Weekly Maximum	Weekly Minimum	Maximum Length of Time	Total Maximum Amount
Temporary total.....	50	\$ 10 00	\$ 5 00	During disability	.....
Permanent partial.....	50	10 00	5 00	Specific schedule	.....
Permanent total.....	50	10 00	5 00	500 weeks	\$ 4,000
Fatal.....	50	10 00	.....	300 weeks	3,000 and 100 burial





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## EXTENT OF DISABILITIES AND AWARDS

TEMPORARY TOTAL DISABILITIES	4612 CASES AWARDS \$52,769
PERMANENT PARTIAL DISABILITIES	220 CASES AWARDS \$100,827
FATALS	88 CASES AWARDS \$192,957
PERMANENT TOTAL DISABILITIES	2 CASES AWARDS \$7,980

Total awards \$354,533.00

TABLE No. 1.  
Standard Table.  
(Per 100,000 Accidents.)

	Number Cases in this Report	Per 100,000 Cases Based on this Report	U. S. Em- ployees' Compensa- tion Act	Standard Accident Table*
Fatals.....	88	1,788	613	932
Disemberments.....	201	4,083	1,908	2,323
Loss of use.....	19	386	1,065	2,442
Permanent total disability.....	2	41	60	110
Temporary total disability.....	4,612	93,702	94,908	94,193
1 to 7 days.....	1,625			
8 to 14 days.....	1,304			
15 to 21 days.....	488			
21 to 28 days.....	368			
All over 28 days.....	827			
Grand total.....	4,922	100,000	100,000	100,000

\*The standard accident table is the means of comparing the experience in duration of disability under the various laws on the basis of one hundred thousand accidents. This table compares the accidents of Virginia with the United States Employees Compensation Act and the standard table of Dr. I. M. Rubinow. It will be noted that in fatal cases Virginia has experienced almost double the number of the Standard. The low figure in Virginia in "loss of use" is due to the fact that the Virginia Act does not compensate for loss of use of any member save the eye.

TABLE No. 2.  
Summary of Injuries and Awards.

	Number of Cases	Days Duration of Disability	Awards
Temporary total disability.....	4,612	81,120	\$ 52,769 74
Permanent partial disability			
Disemberments.....	201	64,353	\$ 85,943 95
Loss of function.....	19	12,212	14,883 89
Total permanent partial disability...	220	76,565	100,827 84
Permanent total disability.....	2	6,300	7,980 00
Fatals.....	88		*184,310 07
Burials.....			8,647 10
Grand total.....	4,922	163,985	\$ 354,534 75

\*Estimated valuation.

The summary of injuries and awards is compiled on the basis of duration of disability and is the means of quickly obtaining the number of cases together with days duration of disability and awards for the same on this division of the experience.

TABLE No. 3.  
*Experience by Industrial Groups.*

NOTE.—The experience of various industries by groups is here given so as to show the number of injuries divided into duration groups with the number of days disability and the compensation paid. Temporary total disability and permanent partial disability are considered separately.  
Table No. 4 immediately following gives the same information on fatal cases.

INDUSTRY	TEMPORARY TOTAL DISABILITIES										PERMANENT PARTIAL DISABILITIES		
	1-7 Days Duration		8-14 Days Duration		15 Days and over Duration		Total		Compensation	No. of Cases	No. of Cases	Days Duration	Compensation
	No. of Cases	Days	No. of Cases	Days	No. of Cases	Days	No. of Cases	Days					
<b>Mining</b>	178	616	251	2,756	328	12,072	757	15,444	\$ 10,406 27	23	11,259	\$ 15,875 55	
Mining	18	50	19	215	21	881	58	1,146	1,757 96	4	2,805	4,328 73	
Quarrying	196	666	270	2,971	349	12,953	815	16,590	\$ 12,164 25	27	14,164	\$ 20,204 30	
<b>Total</b>													
<b>MANUFACTURING</b>	10	49	21	238	16	403	47	690	\$ 217 77				
Stone products	10	21	6	68	5	187	21	276	153 12				
Clay products	2	5			2	84	4	89	80 00				
Reduction and smelting	21	69	26	292	40	1,482	87	1,833	1,104 80				
Steelworks	27	88	52	597	55	1,883	134	2,568	1,747 12				
Metal products	92	242	55	616	70	2,695	226	3,553	2,070 46				
Machinery and instruments	42	178	39	439	52	1,725	133	2,342	1,438 43				
Vehicles and wood	8	53	5	54	10	244	23	331	148 83				
Leather and wood	190	460	140	1,578	223	8,136	552	10,174	6,423 93				
Chemicals and allied products	39	101	35	395	33	1,222	107	1,718	863 54				
Paper and paper products	45	164	56	593	37	1,323	138	2,080	1,111 27				
Printing and publishing	9	32	16	193	35	1,175	66	1,400	816 92				
Textiles	51	155	28	323	44	1,646	123	2,324	1,371 68				
Clothing and furnishings	4	6	8	90	13	381	25	477	212 84				
Food, beverages and tobacco	219	365	85	954	87	2,881	391	4,200	2,038 63				
<b>Total</b>	784	1,990	575	6,455	733	25,955	2,092	34,400	\$ 20,178 93	127	41,563	\$ 51,798 83	

CONSTRUCTION, N. O. C.	245	633	99	1,041	165	6,575	509	8,249	5,987 89	23	8,021	11,170 80
Building and moving	15	60	11	119	23	1,163	49	1,342	1,193 74	1	105	150 00
Grading and excavating	29	76	8	84	11	330	48	480	310 79	2	356	700 00
Erecting foundations	96	351	135	1,519	152	5,613	383	7,483	4,425 36	26	7,392	10,487 50
Finishing, equipping and installing	24	85	13	154	17	566	54	805	462 31	1	70	100 00
Total	409	1,205	266	2,917	368	14,247	1,043	18,369	\$ 12,359 09	55	15,938	\$ 22,608 40
TRANSPORTATION AND PUBLIC UTILITIES												
Steam railroads	13	39	28	315	1	30	1	30	\$ 20 57	3	1,540	\$ 2,173 35
Electric railroads	28	110	28	309	25	1,130	72	1,484	971 85	2	1,099	1,557 71
Cartage and storage	57	166	39	438	49	1,984	145	2,588	1,829 65	2	840	1,192 00
Transportation by water	28	55	23	267	16	645	67	967	946 67	7	2,489	\$ 3,521 06
Public utilities (not transportation)												
Total	126	370	118	1,329	122	4,668	366	6,367	\$ 4,458 45	7	2,489	\$ 3,521 06
TRADE												
Offices	1	3										
Stores	32	86	23	267	34	1,484	89	1,837	\$ 1,248 50	2	1,205	\$ 1,450 00
Yards	8	24	6	66	20	608	34	698	421 16			
Salesmen and agents (outside)	1	4			1	17	2	21	4 29			
Miscellaneous	37	67	20	228	22	783	79	1,078	623 26	1	122	175 00
Total	79	184	49	561	77	2,892	205	3,637	\$ 2,297 21	3	1,327	\$ 1,625 00
SERVICE												
Domestic	2	6	6	74	14	622	22	702	\$ 449 32	1	50	\$ 75 00
Personal	1	1	1	13			2	13				
Municipal and public	3	13	5	51	11	457	19	521	754 79			
Total	6	19	12	138	25	1,079	43	1,236	1,204 11	1	50	75 00
Unknown	25	37	14	129	9	355	48	521	\$ 107 70	2	744	\$ 1,007 25
Grand total	1,625	4,471	1,304	14,500	1,683	62,149	4,612	81,120	\$ 52,769 74	220	76,565	\$ 100,827 84

TABLE No. 4.  
Experience by Industrial Groups.  
(Fatal.)

INDUSTRY	Number with no Dependents	Total Number Cases	Amount of Weekly Award	Awards for Burials
<b>MINING</b>				
Mining.....		25	\$ 204 16	\$ 2,347 10
Quarrying.....		2	11 87	200 00
Total.....		27	\$ 216 03	\$ 2,547 10
<b>MANUFACTURING</b>				
Clay products.....		1	\$ 10 00	\$ 100 00
Steel works.....		1	10 00	100 00
Metal products.....		3	27 70	300 00
Lumber and wood.....		8	47 59	800 00
Leather.....		1	10 00	100 00
Paper and paper products.....		3	15 27	300 00
Textiles.....	1	1		100 00
Food, beverages, and tobacco.....	1	3	17 00	300 00
Total.....	2	21	\$ 137 56	\$ 2,100 00
<b>CONSTRUCTION</b>				
Construction, N. O. C.....	1	9	\$ 77 01	\$ 900 00
Wrecking and moving.....		2	20 00	200 00
Erecting.....		10	82 50	1,000 00
Total.....	1	21	\$ 179 51	\$ 2,100 00
<b>TRANSPORTATION AND PUBLIC UTILITIES</b>				
Electric railroads.....		5	\$ 50 00	\$ 500 00
Public utilities (not transportation).....		1	10 00	100 00
Transportation by water.....	1	4	30 00	400 00
Total.....	1	10	\$ 90 00	\$ 1,000 00
<b>TRADE</b>				
Yards.....		1	\$ 10 00	\$ 100 00
Salesmen and agents (outside).....	1	1		100 00
Miscellaneous.....		1	10 00	100 00
Total.....	1	3	\$ 20 00	\$ 300 00
<b>SERVICE</b>				
Municipal and public.....		6	\$ 59 60	\$ 600 00
Total.....		6	\$ 59 60	\$ 600 00
Grand total.....	5	88	\$ 702 70	\$ 8,647 10

NOTE.—Estimated valuation on all fatal cases—\$184,310.07.

TABLE No. 5.  
*Immediate Cause of Death.*

	Number		Number
Not stated.....	1	Pneumonia.....	2
General crushing.....	21	Broken spinal column.....	3
Broken neck.....	6	Burns.....	1
Shock.....	4	Drowned.....	3
Hemorrhage.....	3	Concussion of brain.....	2
Abdomen puncture (includes other viscera).....	1	Buried in fall of earth or cave-in.....	1
Fractured skull.....	21	Gangrene.....	2
Internal injuries—nature undetermined.....	7	Thorax crushed.....	1
Gun shot wound.....	3	Tetanus.....	1
Electrocuted.....	5	Total.....	88

TABLE No. 6.  
*Conjugal Condition.*  
(Fatal Cases.)

Male stated only.....	1	Married, 4 children.....	12
Single.....	1	Married, more than 4 children.....	11
Married.....	16	Partial dependents.....	14
Married, 1 child.....	14	Widowed.....	1
Married, 2 children.....	9	Total.....	88
Married, 3 children.....	9		



TABLE No. 7.  
*Experience of Insurance Carriers.*

	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL		COMPENSABLE CASES HOW SETTLED		
	Number Cases	Amount	Number Cases	Amount	Number Cases	Amount	App. Agr.	Mod. Agr.	Hearing
All stock, mutual and reciprocal insurance companies.....	3,431	\$ 37,563 20	171	\$ 75,364 94	52	\$ 407 44	1,198	223	17
Self-insurers.....	1,181	15,206 54	49	25,462 90	36	285 26	446	98	9
Grand total.....	4,612	\$ 52,769 74	220	\$ 100,827 84	88	\$ 702 70	1,644	321	26

NOTE.—All accidents considered in this report are here divided into those which were covered by insurance with some insurance company and those which were covered by self-insurance of employers. The companies covered 74½ of all accidents while the remaining 26½ were covered by self-insurers. This table also shows how the various cases were settled. The total number settled by the three methods shown covers only cases in which there was claim for compensation.

TABLE No. 8.  
*Experience by Counties.*

NOTE.—The experience of counties here shown is self explanatory, but attention is called to the fact that counties showing a large number of accidents have large cities or industrial centers located in them. For example, Henrico has the city of Richmond in it while Norfolk includes the cities of Norfolk and Portsmouth. The county of Wise with 447 accidents has a large experience because of the coal mining done in that section.

COUNTY	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES			FATAL CASES	
	Cases	Days Dis- ability	Amount of Awards	Cases	Days for which Award Made	Amount of Award	Cases	Weekly Award
Accomac.....	7	193	\$ 176 44	1	87	\$ 70 23	.....	.....
Albemarle.....	27	325	159 11	3	385	490 00	.....	.....
Alexandria.....	136	2,183	1,192 11	6	1,435	2,050 00	2	\$ 13 33
Alleghany.....	89	1,860	1,279 99	4	650	730 40	3	15 29
Amelia.....	1	21	5 50	1	105	75 00	.....	.....
Amherst.....	1	17	4 29	.....	.....	.....	.....	.....
Augusta.....	56	1,052	525 19	.....	.....	.....	1	9 00
Bath.....	8	307	271 54	1	700	1,000 00	.....	.....
Bedford.....	17	312	228 45	.....	.....	.....	.....	.....
Bland.....	6	132	101 14	.....	.....	.....	.....	.....
Botetourt.....	39	571	306 06	.....	.....	.....	1	10 00
Brunswick.....	2	37	30 00	.....	.....	.....	.....	.....
Buchanan.....	40	628	362 52	3	330	475 00	3	25 49
Buckingham.....	3	74	33 22	.....	.....	.....	1	10 06
Campbell.....	186	2,716	1,458 32	7	1,942	2,599 68	1	.....
Caroline.....	1	.....	.....	.....	.....	.....	.....	.....
Charles City.....	4	14	.....	.....	.....	.....	.....	.....
Charlotte.....	3	21	.....	.....	.....	.....	.....	.....
Chesterfield.....	31	711	492 84	3	256	310 00	.....	.....
Craig.....	1	12	.....	.....	.....	.....	.....	.....
Culpeper.....	2	23	.....	.....	.....	.....	.....	.....
Dickenson.....	15	333	222 89	1	59	82 85	.....	.....
Dinwiddie.....	41	651	354 99	5	989	1,433 20	.....	.....
Elisabeth City.....	56	806	644 12	2	560	762 50	1	10 00
Essex.....	2	28	.....	1	787	1,125 00	.....	.....
Fairfax.....	4	44	7 50	.....	.....	.....	1	96
Fauquier.....	4	72	32 86	.....	.....	.....	.....	.....
Fluvanna.....	8	164	70 99	.....	.....	.....	.....	.....
Franklin.....	2	85	76 29	.....	.....	.....	.....	.....
Frederick.....	10	119	111 39	.....	.....	.....	1	10 00
Giles.....	15	253	141 40	2	1,155	1,828 75	1	1 87
Grayson.....	8	136	70 20	2	260	270 25	.....	.....
Greensville.....	8	71	2 50	.....	.....	.....	1	.....
Halifax.....	3	77	49 43	2	315	382 50	.....	.....
Hanover.....	5	101	48 26	1	59	87 50	.....	.....
Henrico.....	816	12,969	8,036 13	28	7,635	9,980 72	6	49 51
Henry.....	16	245	156 19	2	455	547 10	1	10 00
Isle of Wight.....	4	41	.....	.....	.....	.....	1	2 29
James City.....	4	171	156 42	1	700	688 00	.....	.....
King George.....	1	28	18 00	.....	.....	.....	.....	.....
Lancaster.....	1	21	10 00	.....	.....	.....	.....	.....
Lee.....	32	698	426 90	1	455	640 90	4	29 39
Louisa.....	22	478	322 65	.....	.....	.....	.....	.....
Mecklenburg.....	6	175	102 63	1	66	71 25	2	17 00
Montgomery.....	23	242	39 04	.....	.....	.....	1	10 00
Nansemond.....	40	532	209 85	3	2,800	3,172 75	1	10 00
Nelson.....	15	303	114 58	.....	.....	.....	.....	.....
New Kent.....	3	76	28 57	1	665	475 00	.....	.....
Norfolk.....	965	14,843	9,538 28	41	12,551	17,751 96	24	219 76
Northampton.....	3	58	16 45	.....	.....	.....	.....	.....
Nottoway.....	4	89	33 46	1	210	187 50	.....	.....
Page.....	16	152	49 54	.....	.....	.....	.....	.....
Patrick.....	1	.....	.....	.....	.....	.....	.....	.....
Pittsylvania.....	135	2,974	1,948 80	10	5,370	5,108 52	.....	.....
Powhatan.....	2	111	137 86	.....	.....	.....	.....	.....
Prince Edward.....	5	119	71 50	.....	.....	.....	.....	.....
Prince George.....	16	454	362 10	2	630	825 00	.....	.....
Princess Anne.....	2	6	.....	.....	.....	.....	.....	.....

Table No. 8—Continued.

COUNTY	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES			FATAL CASES	
	Cases	Days Dis- ability	Amount of Awards	Cases	Days for which Award Made	Amount of Award	Cases	Weekly Award
Prince William.....	22	422	\$ 416 04					
Pulaski.....	32	600	358 01	2	172	\$ 178 28	1	\$ 2 80
Rappahannock.....	1	10						
Roanoke.....	238	3,942	2,356 92	6	3,412	4,645 00	3	29 49
Rockbridge.....	28	376	142 50	2	735	930 00	1	7 70
Rockingham.....	10	219	158 72					
Russell.....	153	3,870	3,041 59	4	815	1,165 00	1	10 00
Scott.....	15	429	380 60	1	700	1,000 00		
Shenandoah.....	8	148	100 56					
Smyth.....	53	1,122	834 67	2	770	1,100 00	4	27 00
Southampton.....	13	300	173 60	6	3,070	4,035 00		
Spotsylvania.....	17	341	229 18	1	595	838 95		
Stafford.....	1	177	1,220 89					
Surry.....	5	219	168 76	2	805	661 25		
Sussex.....	9	461	403 42	2	396	516 25		
Tazewell.....	81	1,851	1,407 97	2	665	1,128 75	3	25 66
Warren.....	13	288	155 35	1	700	750 00		
Warwick.....	253	4,660	2,729 49	22	7,284	10,308 15	6	48 50
Washington.....	84	1,732	998 50	5	1,284	1,642 50		
Westmoreland.....	1	27	16 50					
Wise.....	447	9,105	5,897 36	19	6,599	14,369 65	11	91 01
Wythe.....	21	228	62 26					
York.....	15	544	591 42	2	620	900 00		
King William.....	17	442	331 16	3	1,575	2,012 50	1	6 67
Total.....	4,512	80,287	\$ 52,413 96	218	75,408	\$ 100,813 59	88	\$ 702 70
Unknown.....	100	833	355 78	2	1,157	14 25		
Grand total..	4,612	81,120	\$ 52,769 74	220	76,565	\$ 100,827 84	88	\$ 702 70

TABLE No. 9.

See Table.  
(Non-Fatal Cases.)

DESCRIPTION	Number	Per cent of Total Number
Female.....	173	3 58
Male.....	4,624	95 70
Not stated.....	35	72
Total.....	4,832	100

TABLE No. 10.  
Conjugal Condition.  
(Non-Fatal Cases.)

	Number of Cases	Per cent of Total Number
Not stated.....	735	15 21
Widowed.....	120	2 48
Single (includes 4 separated).....	1,695	35 08
Married.....	2,282	47 23
Total.....	4,832	100

TABLE No. 11.  
Wage Table.  
(Non-Fatal Cases.)

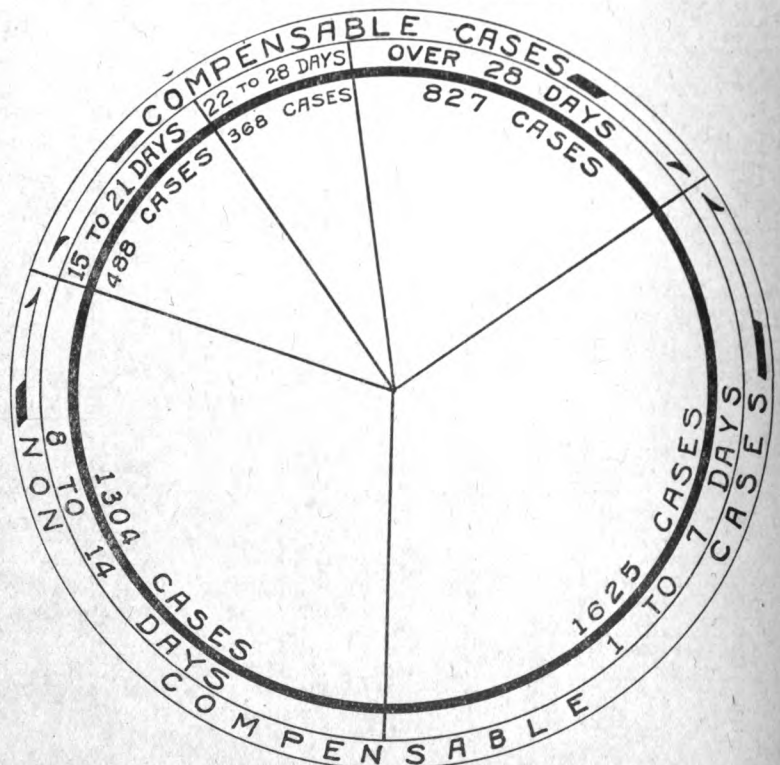
NOTE.—The wage grouping is based on differences of 16. cents a day thereby giving a weekly wage group of \$1.00 for a week of six working days. The average wage for all cases reported is \$23.85 per week.

WAGE GROUP	Number Cases	Per Cent Total No. Cases	Duration Disability	Per Cent of Total Duration	Award	Per Cent of Total Award
No. wage stated.....	552		4,856		\$ 3,748 58	
\$0 50—\$0 67.....	1		53		27 85	
68—84.....	2		23		2 13	
85—1 00.....	10		646		505 00	
	565	11.69	5,578	3.54	\$ 4,283 56	2.79
\$1 01—\$1 17.....	14		329		\$ 135 73	
1 18—1 34.....	25		490		198 55	
1 35—1 50.....	34		1,522		864 22	
1 51—1 67.....	34		843		439 96	
1 68—1 84.....	43		1,690		1,085 13	
1 85—2 00.....	77		2,557		1,463 05	
	227	4.7	7,431	4.71	\$ 4,186 64	2.73
\$2 01—\$2 17.....	44		1,120		\$ 1,572 87	
2 18—2 34.....	85		2,931		1,374 36	
2 35—2 50.....	240		7,468		5,677 86	
2 51—2 67.....	92		3,396		2,941 28	
2 68—2 84.....	183		6,442		5,129 52	
2 85—3 00.....	410		12,616		13,523 74	
	1,054	21.81	33,973	21.54	\$ 30,219 63	19.67
\$3 00—\$3 17.....	98		7,870		\$ 6,609 63	
3 18—3 34.....	344		14,413		16,106 59	
3 35—3 50.....	234		9,369		10,275 08	
3 51—3 67.....	190		6,434		6,473 88	
3 68—3 84.....	205		5,761		5,760 37	
3 85—4 00.....	290		10,403		11,107 10	
	1,361	28.17	54,250	34.40	\$ 56,332 65	36.674
\$4 01—\$4 17.....	222		6,898		\$ 6,820 37	
4 18—4 34.....	116		3,856		3,893 75	
4 35—4 50.....	137		3,793		5,534 24	
4 51—4 67.....	116		7,350		6,093 07	
4 68—4 84.....	45		1,175		967 36	
4 85—5 00.....	244		7,523		7,748 62	
	880	18.21	30,595	19.40	\$ 31,077 41	20.23
\$5 01—\$5 17.....	41		1,139		\$ 1,115 24	
5 18—5 34.....	40		1,521		1,695 98	
5 35—5 50.....	104		3,229		3,206 04	
5 51—5 67.....	27		794		758 50	
5 68—5 84.....	98		3,501		3,697 58	
5 85—6 00.....	103		5,317		6,451 51	
	413	8.55	15,501	9.83	\$ 16,924 85	11.02
\$6 01—\$6 17.....	23		569		\$ 547 94	
6 18—6 34.....	31		888		906 83	
6 35—6 50.....	66		2,249		2,392 92	
6 51—6 67.....	66		1,794		1,663 90	
6 68—6 84.....	20		255		115 79	
6 85—7 00.....	17		507		442 87	
	223	4.62	6,262	3.97	\$ 6,070 25	3.95
\$7 01—\$7 17.....	12		732		\$ 905 72	
7 18—7 34.....	11		728		917 14	
7 35—7 50.....	30		1,438		1,630 05	
7 51—7 67.....	2		16		1 43	
7 68—7 84.....	5		45		13 33	
7 85—8 00.....	4		231		304 29	
	64	1.32	3,190	2.03	\$ 3,771 96	2.46

Table No. 11—Continued.

WAGE GROUP	Number Cases	Per Cent Total No. Cases	Duration Disability	Per Cent of Total Duration	Award	Per Cent of Total Award
\$8 01—\$8 17.....	3		15			
8 18—8 34.....	14		328		\$ 279 11	
8 35—8 50.....	1		14			
8 51—8 67.....	1		1			
8 68—8 84.....						
8 85—9 00.....	2					
	21	.43	358	.23	\$ 279 11	.18
\$9 01—\$9 17.....	2		69		\$ 59 09	
9 18—9 34.....	1		57		64 29	
9 35—9 50.....	2		106		111 42	
9 51—9 67.....	1		20		3 57	
9 68—9 84.....	1		6			
9 85—10 00.....	9		209		199 45	
	16	.33	467	.3	\$ 442 82	.29
\$11 06.....	1		7			
11 43.....	1					
11 44.....	1		11			
11 66.....	1		11			
12 50.....	2		34		\$ 8 70	
12 80.....	1		10			
16 00.....	1		7			
	8	.17	80	.05	\$ 8 70	.006
Grand total.....	4,832	100.00	157,685	100.00	\$ 153,597 58	100.00

## TEMPORARY TOTAL DISABILITIES



The above chart sets forth graphically the facts contained in Table No. 12

TABLE No. 12.  
*Duration Table.*  
 (Temporary Total Disability.)

DAY AND WEEK FINALED	Number Cases	Per cent of Total Number Cases	Total Duration	Per cent of Days Duration
Duration not given.....	621	.....	.....	.....
1 day.....	109	.....	119	.....
2 days.....	110	.....	220	.....
3 days.....	118	.....	354	.....
4 days.....	128	.....	512	.....
5 days.....	144	.....	720	.....
6 days.....	149	.....	894	.....
7 days.....	236	.....	1,652	.....
Total first week.....	1,625	35.23	4,471	5.51
8 days.....	155	.....	1,240	.....
9 days.....	180	.....	1,620	.....
10 days.....	203	.....	2,030	.....
11 days.....	198	.....	2,178	.....
12 days.....	171	.....	2,052	.....
13 days.....	179	.....	2,327	.....
14 days.....	218	.....	3,053	.....
Total second week.....	1,304	28.29	14,500	17.87
3 weeks.....	491	10.65	.....	.....
4 weeks.....	367	7.96	.....	.....
5 weeks.....	266	5.77	.....	.....
6 weeks.....	153	3.32	.....	.....
7 weeks.....	114	2.47	.....	.....
8 weeks.....	64	1.39	.....	.....
9 weeks.....	58	1.26	.....	.....
10 weeks.....	31	.67	.....	.....
11 weeks.....	32	.70	.....	.....
12 weeks.....	25	.54	.....	.....
13 weeks.....	12	.26	.....	.....
14 weeks.....	7	.15	.....	.....
15 weeks.....	10	.23	.....	.....
16 weeks.....	7	.15	.....	.....
17 weeks.....	11	.24	.....	.....
18 weeks.....	6	.13	.....	.....
19 weeks.....	5	.11	.....	.....
20 weeks.....	2	.04	.....	.....
21 weeks.....	3	.06	.....	.....
22 weeks.....	2	.04	.....	.....
23 weeks.....	1	.02	.....	.....
24 weeks.....	3	.06	.....	.....
25 weeks.....	2	.04	.....	.....
26 weeks.....	3	.06	.....	.....
27 weeks.....	1	.02	.....	.....
28 weeks.....	1	.02	.....	.....
29 weeks.....	2	.04	.....	.....
32 weeks.....	1	.02	.....	.....
34 weeks.....	2	.04	.....	.....
37 weeks.....	1	.02	.....	.....
Total three weeks and more.....	1,683	.....	62,149	76.62
Grand total.....	4,612	100.00	81,120	100.00

TABLE No. 13.  
*Age of Injured Workmen.*  
 (Non-Fatal Cases.)

AGE	Number Cases	Percent Total Number Cases	AGE	Number Cases	Per cent Total Number Cases
12.....	2	15.63	46.....	70	13.14
14.....	13		47.....	68	
15.....	20		48.....	60	
16.....	88		49.....	47	
17.....	128		50.....	80	
18.....	189			635	
19.....	195		51.....	28	
20.....	120		52.....	39	
	755		53.....	35	
21.....	186	25.85	54.....	24	5.24
22.....	161		55.....	27	
23.....	143		56.....	22	
24.....	124		57.....	14	
25.....	134		58.....	14	
26.....	110		59.....	17	
27.....	82		60.....	33	
28.....	97			253	
29.....	77		61.....	10	1.95
30.....	135		62.....	18	
	1,249	19.95	63.....	11	
31.....	59		64.....	11	
32.....	72		65.....	18	
33.....	98		66.....	5	
34.....	105		67.....	6	
35.....	145		68.....	5	
36.....	89		69.....	3	
37.....	92		70.....	7	
38.....	116			94	18.07
39.....	86		71.....	3	
40.....	102		72.....	2	
	964		73.....	2	
41.....	47		75.....	1	
42.....	64			8	
43.....	44		Age not given.....	874	
44.....	48		Total.....	4,832	
45.....	107				100.00

Average age of all non-fatal cases where age is given, 25.72 years.

TABLE No. 14.

*Amputations.*

(Traumatic.)

The following tables from 14 to 23 inclusive is a detailed description of the nature of injury, showing the number of cases, the duration of disability, the amounts of awards and the permanent partial disabilities resulting from each group. These tables are particularly valuable to the Commission in the administration of the law, particularly in the settlement of claims in showing the complete experience in each injury of a certain nature.

These tables will grow to be of more value as they accumulate experience from year to year and will naturally become a matter of continual reference.

MEMBER	Number of Cases	Days Duration Disability	Average Days Duration Disability	Total Compensation
Eye.....	3	2,100	700	\$ 2,975 00
Forearm.....	1	1,400	1,400	1,770 00
Hand.....	4	1,470	368	1,813 00
Thumb, distal phalanx.....	3	525	175	709 50
Index finger, distal phalanx.....	6	489	82	659 97
Index finger, middle phalanx.....	1	245	245	247 10
Index finger, proximal phalanx.....	9	1,578	175	2,074 63
Middle finger, distal phalanx.....	3	315	105	346 50
Middle finger, proximal phalanx.....	1	66	66	71 25
Ring finger, distal phalanx.....	4	195	49	300 00
Ring finger, proximal phalanx.....	4	595	149	802 25
Little finger.....	2	76	38	108 75
Thumb and one finger.....	2	1,505	753	1,912 50
Thumb and two or more fingers.....	3	1,214	405	1,433 75
Two fingers.....	8	2,354	294	3,295 23
Three fingers.....	6	2,438	406	3,409 20
Four fingers.....	1	700	700	523 00
Fingers, N. O. C.....	1	50	50	75 00
Heel.....	1	70	70	100 00
Lesser toe, one phalanx.....	1	39	39	55 71
Total.....	64	17,424	272	\$ 22,682 34



TABLE No. 15.  
*Bruises, Contusions and Abrasions.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
<b>HEAD</b>							
Eye.....	21	841	40	\$ 1,098 57	1	700	\$ 1,000 00
Lower jaw.....	1	26	26	17 15			
Scalp.....	4	97	24	75 71			
Head, general.....	22	260	12	117 95			
Head, N. O. C.....	4	24	6				
Total.....	52	1,248		\$ 1,219 38	1	700	\$ 1,000 00
<b>FACE</b>							
Forehead.....	6	35	6				
Eyelid.....	3	10	3				
Nose.....	2	5	3				
Cheek.....	3	32	11	\$ 9 00			
Lips, chin and mouth.....	6	6	1				
Face, N. O. C.....	6	6	1	22 86			
Neck.....	1	18	18	5 70			
Two or more parts, one not clearly major.....	1	48	54	22 50			
Head, neck, face, N. O. C.....	1	19	19	4 82			
Total.....	26	272		\$ 64 88			
<b>TRUNK</b>							
Dorsal vertebrae.....	1	12					
Lumbar vertebrae.....	7	86	12	\$ 3 54			
Thoracic wall, generally.....	7	86	12	11 86			
Thorax anterior.....	29	473	16	238 76			
Thorax posterior, upper.....	2	44	22	112 86			
Thorax posterior, lower.....	57	1,139	20	841 03			
Thorax, lateral.....	64	826	13	313 73			
Thoracic organs, internal.....	2	71	36	64 28			
Abdomen, external.....	20	209	10	96 69			
Groin.....	11	98	9	35 50			
Sacrum or coccyx.....	2	80	40	82 86			
Pelvic region.....	1	41	41	38 57			
Pelvis, N. O. C. (Ilium).....	2	22					

Anal, rectum or perineum.....	3	47	16	9 48			
Penis.....	1	13					
Testicles.....	12	223	19	89 29			
Scrotum.....	1	56	56	56 70			
Hernia, umbilical.....	2	46	46	82 06			
Two or more parts, one not clearly major.....	6	247	41	165 98			
Sacro iliac joint.....	2	90	45	83 72			
Total.....	226	3,885		\$ 2,336 92			
ARM							
Shoulder, N. O. C.....	42	613	15	\$ 343 55			
Upper arm.....	22	203	9	62 55			
Elbow.....	5	133	27	124 89			
Forearm.....	9	1,201	183	1,588 61	1	1,050	\$ 1,500 00
Wrist.....	11	136	12	52 15			
Arm, general.....	8	108	14	60 00			
Arm, N. O. C.....	3	49	16	16 87			
Arms or arm and hand.....	5	41	8				
Arm and leg.....	6	94	16	29 75			
Total.....	111	2,578		\$ 2,278 67	1	1,050	\$ 1,500 00
HAND							
Hand, N. O. C.....	99	2,634	27	\$ 1,967 56	3	1,505	\$ 1,491 50
Hands, both.....	1	38	38	31 03			
Palm.....	5	110	22	68 00			
Back of hand.....	8	66	8	12 86			
Metacarpal.....	1	33	33	27 14			
Metacarpal, more than one.....	1	3	3				
Thumb.....	51	1,362	27	1,374 64	3	840	1,147 50
Thumb, distal phalanx.....	7	112	16	41 08			
Thumb, proximal phalanx.....	4	46	12				
Index finger.....	59	1,872	32	2,218 47	6	1,098	1,682 15
Middle finger.....	12	944	79	1,096 82	5	734	931 88
Middle finger, distal phalanx.....	42	1,281	31	1,114 73	5	770	837 00
Ring finger.....	6	268	45	281 43	2	210	270 00
Ring finger, distal phalanx.....	19	515	27	476 97	1	245	350 00
Ring finger, second phalanx.....	7	90	13	16 72			
Little finger.....	1	15	15	1 53			
Little finger, distal phalanx.....	20	425	21	277 78	1	105	150 00
Little finger, second phalanx.....	6	178	30	176 08	1	50	75 00
Thumb and 1 finger.....	1	105	105	150 00	1	105	150 00
Thumb and 2 or more fingers.....	3	119	119	87 90			
Two fingers.....	55	501	167	661 15	1	455	650 00
Three fingers.....	11	2,646	48	2,620 91	6	1,950	2,370 03
Four fingers.....	1	1,430	130	2,006 14	3	1,567	1,997 50
Five fingers.....	7	1,548	193	1,868 18	3	1,277	1,528 75
Finger, N. O. C.....	100	992	9	329 62			
Two or more parts, one not clearly major.....	6	280	47	227 82			
Total.....	533	17,413		\$ 17,134 96	41	10,681	\$ 13,931 31

Table No. 15—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>LOWER EXTREMITIES</b>							
Hip.....	23	432	19	\$ 283 26			
Thigh.....	34	391	12	126 12			
Patella.....	3	21	7				
Knee.....	38	645	17	415 61			
Leg.....	135	5,211	39	5,574 93	3	3,005	\$ 4,250 00
Tibia.....	3	95	32	54 90			
Upper end of tibia.....	2	13	7				
One leg and one foot.....	6	175	29	165 63			
Ankle.....	39	2,263	58	2,562 16	2	1,759	2,362 50
Foot, N. O. C.....	208	4,540	22	2,321 68	2	710	831 25
Metatarsals.....	1	3	3				
Sole of foot.....	11	109	10	34 15			
Top of foot, instep and arch.....	37	502	14	246 75			
Feet, both.....	3	46	15	12 86			
Heel.....	7	92	13	22 95			
Toe, N. O. C.....	16	112	17				
Great toe.....	57	1,107	19	849 33	1	210	300 00
Great toe, first phalanx.....	2	6	3				
Great toe, more than 1 phalanx.....	4		4				
Lesser toe, N. O. C.....	17	207	12	61 96			
Great toe and lesser toe or toes.....	17	563	33	525 84	2	210	273 50
Two or more lesser toes.....	25	396	16	206 01			
Two or more parts, one not clearly major; injury to leg generally.....	36	1,646	46	1,725 56	1	875	1,250 00
Total.....	721	18,579		\$ 15,199 70	11	6,760	\$ 9,267 25
<b>MISCELLANEOUS</b>							
Multiple injuries.....	81	1,967	24	\$ 1,489 80			
Grand total.....	1,750	45,942		\$ 39,724 31	54	19,191	\$ 25,698 56

TABLE No. 16.

*Burns and Scalds.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
HEAD							
Eye.....	20	961	48	\$ 1,114 46	1	700	\$ 1,000 00
Ear.....	2	15	8	8			
Eyes, both.....	1	96	96	117 25			
Head, general.....	1	18	18	5 71			
Total.....	24	1,090		\$ 1,237 42	1	700	\$ 1,000 00
FACE							
Nose, N. O. C.....	15	93	6	\$ 5 72			
Neck.....	5	47	9	1 43			
Two or more parts, one not clearly major.....	2	27	14	29 15			
Head, neck face and N. O. C.....	2	50	25	38 99			
Neck and face.....	5	85	17				
Total.....	29	302		\$ 76 29			
TRUNK							
Thorax, posterior, lumbar region.....	4	78	20	\$ 50 83			
Thorax, lateral.....	2	41	21	18 57			
Penis.....	1	121	121				
Total.....	7	240		\$ 69 40			
ARM							
Shoulder, N. O. C.....	2	38	19	\$ 15 27			
Upper arm.....	12	103	8	64 20			
Forearm.....	1	52	13	5 25			
Wrist.....	1	32	7				
Arm, general.....	5	37	37	64 20			
Arm, N. O. C.....	2	73	23	104 73			
Arm, or one arm and one hand.....	9	193	26	31 49			
Arm and leg.....	2	31					
Total.....	37	549		\$ 285 31			

Table No. 16—Continued.

MEMBER	All Cases				Resulting in Permanent Partial Disability		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>HAND</b>							
Hand, N. O. C.	24	227	9	\$ 61 83			
Hands, both.	6	39	7	4 28			
Hand and foot.	1	31	31	24 29			
Hands, back of.	1	84	84	100 00			
Index finger.	2	18	9				
Ring finger.	2	13	7				
Thumb and two or more fingers.	1	9	9				
Two fingers.	2	43	22	19 20			
Finger, N. O. C.	2	22	11				
Two or more parts, one not clearly major.	1	8	8				
Total.	41	484		\$ 209 60			
<b>LOWER EXTREMITIES</b>							
Thigh.	2	23	12				
Knee.	2	17	9				
Leg.	11	217	19				
One leg and one foot.	1	24	24	\$ 135 73			
Ankle.	6	124	21	7 58			
Foot, N. O. C.	31	690	22	82 22			
Sole of foot.	1	26	26	438 36			
Top of foot, instep and arch.	4	42	11	17 14			
Feet, both.	6	177	29	14 23			
Feet.	5	109	22	132 40			
Lesser toe, N. O. C.	1	32	32	65 53			
Two or more parts, one not clearly major; injury to leg generally.	1	48	48	25 71			
Total.	71	1,531		\$ 968 49			
<b>MISCELLANEOUS</b>							
Multiple injuries.	39	1,009	23	\$ 815 19	1	50	\$ 75 00
Grand total.	248	5,205		\$ 3,661 70	2	750	\$ 1,075 00

TABLE No. 17.

*Concussions.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DEBILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
Brain.....	12	297	25	\$ 173 54			

TABLE No. 18.  
*Cuts and Lacerations.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
HEAD							
Eye.....	34	5,916	174	\$ 7,534 17	8	5,600	\$ 7,398 00
Ear.....	5	34	7	17 15			
Jaw, lower.....	1	17	17	4 29			
Head, general.....	101	992	10	408 86			
Total.....	141	6,959		\$ 7,964 47	8	5,600	\$ 7,398 00
FACE							
Forehead.....	26	151	6	\$ 11 43			
Eyelid.....	8	92	11	15 30			
Nose.....	7	55	8	8 53			
Cheek.....	17	165	9	82 43			
Lips, chin, mouth.....	14	78	6				
Face, N. O. C.....	10	149	15	90 00			
Two or more parts, one not clearly major.....	8	97	12	50 00			
Head, neck, face, N. O. C.....	1	112	112	126 00			
Total.....	91	899		\$ 384 01			
TRUNK							
Thorax (genly).....	2	17	9	\$ 3 86			
Thorax, front.....	3	58	19	17 71			
Thorax, rear, lumbar.....	4	128	32	102 52			
Thorax, side.....	2	72	36	55 88			
Abdomen, external.....	1	21	21	10 00			
Groin.....	1	21	21	10 00			
Penis.....	1	20	20	7 29			
Scrotum.....	2	23	12	10 18			
Two or more parts, one not clearly major.....	1	17	17	4 29			
Total.....	17	377		\$ 221 43			

ARM									
Shoulder.....	32	77	39	70 00					
Upper arm.....	25	364	15	225 56					
Elbow.....	3	11	4						
Forearm.....	20	505	25	458 67					
Wrist.....	26	306	12	84 33					
Arm, general.....	8	303	38	231 11					75 00
Arm and leg.....	1	7	7						
Total.....	85	1,573		\$ 1,069 67	1	105	\$	75 00	
HAND									
Hand, N. O. C.....	94	1,130	12	\$ 567 18					
Hands, both.....	1	28	28	18 57					
Hand and foot.....	1	12	12						
Palm.....	18	252	14	120 96					
Hand, back of.....	17	175	10	64 12					
Thumb.....	59	1,207	20	1,101 60			630	\$	870 00
Thumb, distal phalanx.....	17	492	23	481 06			2	315	390 00
Thumb, proximal phalanx.....	6	78	19	37 14					
Index finger, general.....	51	1,163	21	914 88			2	455	562 50
Index finger, distal phalanx.....	10	328	33	376 10			2	171	243 25
Index finger, second phalanx.....	2	210	105	270 00			1	210	270 00
Index finger, proximal phalanx.....	1	57	57	55 84					
Middle finger.....	28	582	21	402 84					
Middle finger, distal phalanx.....	13	534	41	566 14			3	367	475 29
Middle finger, second phalanx.....	1	32	32	120 00					
Ring finger.....	23	515	22	466 47			2	280	400 00
Ring finger, second phalanx.....	7	230	33	182 15			2	154	160 00
Ring finger, distal phalanx.....	1	70	70	100 00					
Ring finger, proximal phalanx.....	22	789	36	657 39			1	70	100 00
Little finger.....	4	195	49	178 75			5	479	472 20
Thumb and one finger.....	7	1,247	178	1,170 29			2	195	178 75
Thumb and two or more fingers.....	14	2,379	170	2,954 14			2	119	1,150 00
Two fingers.....	56	2,777	50	3,159 14			7	3,276	2,852 50
Three fingers.....	23	3,242	141	4,244 50			7	1,893	2,610 10
Four fingers.....	7	149	21	89 03			8	2,939	4,085 75
Five fingers.....	92	728	8	216 85					
Hand, N. O. C.....	9	609	68	750 06			1	486	655 00
Two or more parts, one not clearly major.....									
Total.....	585	19,210		\$ 19,265 20	49	12,039	\$	13,475 34	
LOWER EXTREMITIES									
Hip.....	2	37	18	\$ 14 67					
Thigh.....	7	106	15	60 01					
Knee.....	12	233	20	113 62					
Tibia and Fibula.....	65	1,416	22	1,049 51					
One leg and one foot.....	1	41	41	38 57					
Ankle.....	21	293	14	96 42					
Foot, N. O. C.....	33	1,532	46	1,554 74			1	875	\$ 1,200 00
Sole of foot.....	4	55	14	17 17					



Table No. 18—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
<b>LOWER EXTREMITIES—Continued</b>							
Top of foot, instep.....	11	273	25	\$ 171 78			
Heel.....	6	408	68	199 26			
Toe, N. O. C.....	1	7	7				
Great toe.....	10	221	22	210 46			
Lesser toe, one phalanx.....	1	16	16	2 86			
Lesser toe, N. O. C.....	5	51	10	6 96			
Great toe, more than one phalanx.....	2	73	36	125 07	1	33	\$ 100 00
Great toe and lesser toe or toes.....	3	64	21	31 43			
Two or more lesser toes.....	5	491	98	610 00	2	420	560 00
Two or more parts, one not clearly major injury to the leg.....	1	22	22	9 57			
Total.....	190	5,339		\$ 4,312 00	4	1,328	\$ 1,860 00
<b>MISCELLANEOUS</b>							
Multiple injuries.....	27	797	29	\$ 3,201 36	1	1,400	\$ 2,000 00
Grand total.....	1,136	35,154		\$ 36,418 14	63	20,472	\$ 26,808 34

TABLE No. 19.  
*Dislocations.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
HEAD							
Jaw, lower.....	1	9	9				
ARM							
Clavicle.....	1	49	49	\$ 50 00			
Shoulder joint.....	10	128	13	68 13			
Forearm.....	1	10	10				
Wrist.....	6	92	15	62 86			
Total.....	18	277	15	\$ 180 99			
HAND							
Hand N. O. C.....	1	6	6				
Thumb.....	4	59	15	\$ 8 57			
Little finger.....	1	28	28	20 00			
Total.....	6	93	16	\$ 28 57			
LOWER EXTREMITIES							
Hip.....	1	23	23	\$ 12 86			
Patella.....	1	18	18	25 72			
Knee.....	2	91	46	99 00			
Ankle.....	4	91	23	54 14			
Foot N. O. C.....	2	50	50	127 15			
Great toe.....	1	117	23	11 52			
Total.....	11	363	33	\$ 330 39			
MISCELLANEOUS							
Multiple injuries.....	1	104	104	\$ 114 20			
Grand total.....	37	846		\$ 654 15			

TABLE NO. 20.  
*Fractures.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
<b>HEAD</b>							
Jaw, upper.....	3	18	6	\$ 5 71			
Jaw, lower.....	1	43	43	42 96			
Teeth.....	4	19	5	7 13			
Skull.....	6	237	43	210 96			
Head, N. O. C.....	1	25	25	16 67			
Total.....	15	362		\$ 282 95			
<b>FACE</b>							
Nose.....	9	787	87	\$ 968 07	1	700	\$ 950 00
<b>TRUNK</b>							
Spine.....	1	26	26	\$ 17 15			
Ribs.....	76	2,204	29	1,620 60			
Total.....	77	2,230		\$ 1,637 75			
<b>ARM</b>							
Scapula.....	1	38	38	\$ 34 29			
Clavicle.....	11	413	38	338 57			
Shoulder, N. O. C.....	10	335	34	257 63			
Upper arm (shaft).....	8	1,714	214	2,251 11	1	1,400	\$ 2,000 00
Humerus.....	6	313	52	307 26			
Humerus (lower end).....	3	91	30	73 90			
Forearm.....	3	267	33	210 78			
Upper end of radius.....	2	150	50	146 81			
Upper end of ulna.....	1	33	33	27 35			
Radius.....	15	716	48	688 22			
Ulna.....	8	323	40	279 71			
Radius and ulna.....	2	62	31	67 14			
Lower end of radius.....	5	163	35	135 19			
Lower end of ulna.....	1	38	38	34 29			

Lower end of radius and ulna.....	1	42	42	40 00	1	2,100	2,976 14
Forearm involving wrist.....	16	2,815	176	1,084 96	1		
Arm, N. O. C.....	5	189	38	185 71			
Arm and leg.....	1	119	119	170 00			
Total.....	105	7,841		\$ 6,932 90	2	3,500	\$ 2,976 14
<b>HAND</b>							
Hand, N. O. C.....	4	147	37	\$ 123 21			
Carpal (1).....	2	39	20	20 00			
Metacarpal (1).....	10	335	32	324 00			
Metacarpal (more than 1).....	11	35	33	27 00			
Thumb.....	1	471	43	569 57	1	210	\$ 300 00
Thumb, distal phalanx.....	2	51	28	52 86			
Index finger.....	3	69	1	401 01	3	326	431 86
Index finger, distal phalanx.....	6	413	54	174 29			
Index finger, second phalanx.....	2	108	26	34 00			
Index finger, proximal phalanx.....	1	29	28	27 00			
Middle finger.....	2	56	56	363 27	2	124	337 50
Middle finger, distal phalanx.....	3	103	34	88 22			
Ring finger.....	3	386	77	430 26	3	350	387 50
Ring finger, distal phalanx.....	5	140	140	200 00	1	140	200 00
Ring finger, second phalanx.....	1	76	19	168 00			
Little finger.....	4	181	30	166 24	2	105	131 85
Little finger, distal phalanx.....	6	41	41	32 40			
Little finger, proximal phalanx.....	1	985	181	1,356 38	2	805	1,115 00
Two fingers.....	6	37	37	30 23			
Four fingers.....	1	449	75	577 14	1	350	500 00
Finger, N. O. C.....	6				15	2,410	\$ 3,403 71
Total.....	80	4,263		\$ 4,991 38			
<b>LOWER EXTREMITIES</b>							
Thigh.....	3	1,459	486	\$ 1,948 65	1	1,225	\$ 1,680 25
Femur.....	4	329	82	410 00			
Patella.....	2	287	144	352 00			
Leg involving knee.....	2	110	55	128 30			
Tib.....	14	3,694	263	5,101 87	2	2,100	2,968 75
Tibia.....	10	806	81	910 54			
Upper end of tibia.....	1	77	77	90 00			
Fibula.....	6	407	68	451 10			
Upper end of fibula.....	1	62	62	68 57			
Lower end of fibula.....	2	113	57	98 59			
Tibia and fibula.....	5	500	100	518 68			
Lower end of tibia and fibula.....	4	449	112	563 50			
Leg involving ankle.....	13	870	87	960 65			
Foot, N. O. C.....	7	189	27	143 75			
Metatarsals.....	28	1,275	46	1,200 18			
Toe, N. O. C.....	2	15	8				

\*NOTE.—Lump sum settlement for 2,100 days—Award \$976.14.

Table No. 20—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>LOWER EXTREMITIES—Continued</b>							
Great toe.....	14	480	33	\$ 417 29			
Great toe, first phalanx.....	3	341	114	447 25	1	308	\$ 440 00
Lesser toe, N. O. C.....	13	354	27	266 09	1	70	100 00
Great toe, first phalanx.....	1	11	11				
Great toe and lesser toe or toes.....	1	13	13				
Two or more lesser toes.....	2	141	72	147 15			
Two or more parts, one not clearly major, leg injured generally.....	2	112	56	120 00			
Malleolus.....	3	181	60	183 86			
<b>Total.....</b>	<b>143</b>	<b>12,245</b>		<b>\$ 14,541 02</b>	<b>5</b>	<b>3,703</b>	<b>\$ 5,198 00</b>
<b>MISCELLANEOUS</b>							
Multiple injuries.....	3	256	85	\$ 174 65			
<b>Grand total.....</b>	<b>432</b>	<b>27,984</b>		<b>\$ 20,528 72</b>	<b>23</b>	<b>10,313</b>	<b>\$ 12,518 85</b>

TABLE No. 21.  
*Punctures.*

MEMBER.	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
HEAD							
Eye.....	12	5,804	484	\$ 8,776 86	9	5,755	\$ 8,250 00
FACE							
Forehead.....	1	49	49	\$ 50 00			
Eyelid.....	1	24	24	14 29			
Neck.....	1	13	13				
Total.....	3	86		\$ 64 29			
TRUNK							
Thorax, rear lumbar.....	2	52	26	\$ 32 86			
Thorax, side.....	1	14					
Anus, rectum or perineum.....	1	16	16	2 88			
Two or more parts, one not clearly major.....	1	19	19	5 40			
Buttocks.....	1	22	22	11 43			
Total.....	6	123		\$ 52 55			
ARM							
Upper arm.....	2	4	2				
Elbow.....	1	11	11				
Forearm.....	2	21	11				
Forearm, involving wrist.....	4	60	15	\$ 37 15			
Total.....	9	96		\$ 37 15			

Table No. 21—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>HAND</b>							
Hand, N. O. C.	47	433	9	\$ 144 86			
Palm	131	18	18	55 25			
Hand, back	9	30	20	10 57			
Thumb	10	97	10	14 28			
Index finger	16	234	39	27 16			
Index finger, distal phalanx	1	1	1				
Middle finger	2	41	21	38 57			
Ring finger	2	7	4				
Finger, N. O. C.	7	33	5	2 86			
Total	84	1,006		\$ 292 55			
<b>LOWER EXTREMITIES</b>							
Thigh	4	82	21	\$ 30 28			
Knee	4	64	16	30 15			
Leg	8	152	19	101 44			
Ankle	1						
Foot, N. O. C.	26	379	15	187 94			
Sole of foot	103	801	8	120 05			
Top of foot (instep—arch)	56	416	7	78 20			
Heel	3	28	9				
Great toe	2	12	6	2 57			
Two or more lesser toes	1	16	16				
Two or more parts, one not clearly major, leg injured generally	1	4	4				
Total	209	1,952		\$ 530 63			
<b>MISCELLANEOUS</b>							
Multiple injuries	1	15	15	\$ 1 43			
Grand total	324	9,082		\$ 9,755 46	9	5,755	\$ 8,250 00

TABLE No. 22.

*Sprains.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
FACE	1	7	7				
Neck.....							
TRUNK							
Thorax, rear lumbar.....	139	2,379	17	\$ 1,379 23			
Thorax, side.....	21	332	16	172 66			
Abdominal wall.....	9	166	18	122 14			
Groin.....	3	99	33	77 12			
External generative organs.....	2	41	21	18 10			
Hernia, umbilical.....	13	551	43	672 48			
Hernia, inguinal.....	20	784	39	739 74			
Hernia, post-operative.....	1	83	83	98 57			
Total.....	208	4,435		\$ 3,280 04			
ARM							
Shoulder.....	12	289	24	\$ 178 81			
Upper arm.....	8	132	17	70 11			
Elbow.....	6	61	10	10 00			
Forearm.....	2	58	29	42 01			
Wrist.....	48	721	15	251 34			
Arm, general.....	2	49	25	37 20			
Arms, or one arm and one hand.....	6	117	20	74 77			
Arm and leg.....	1	21	21	9 00			
Total.....	85	1,448		\$ 673 24			



Table No. 22—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>HAND</b>							
Hand, N. O. C.	7	71	10	\$ 19 82			
Thumb	6	38	6				
Middle finger	1	6					
Two fingers	1						
Finger, N. O. C.	2	11	9				
Two or more parts, one not clearly major injury to hand.	1	17	17	4 28			
Total	18	143		\$ 24 10			
<b>LOWER EXTREMITIES</b>							
Hip	3	82	11	\$ 11 79			
Thigh	2	18	8				
Knee	30	590	20	465 86			
Leg	17	361	21	230 00			
One leg and one foot	2	28	13	12 86			
Ankle	128	2,388	10	1,400 10			
Foot, N. O. C.	28	317	11	83 91			
Heel	2	30	20	21 43			
Toe, N. O. C.	3	3	3				
Great toe	1	6	6				
Lesser toe, N. O. C.	1	6	6				
Two or more parts, one not clearly major injury to leg.	7	203	29	172 84			
Total	222	3,988		\$ 2,498 79			
Grand total	534	10,021		\$ 6,476 17			

TABLE No. 23.

*Miscellaneous and Unclassified.*

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compen- sation	Number Cases	Days Duration Disability	Compen- sation
HEAD							
Eye (foreign body).....	133	4,478	33	\$ 4,197 85	5	2,660	\$ 3,704 75
Eyes (foreign body).....	1	12	12	.....	.....	.....	.....
Teeth.....	2	3	2	.....	.....	.....	.....
Head, general.....	3	12	4	.....	.....	.....	.....
Total.....	139	4,505	.....	\$ 4,197 85	5	2,660	\$ 3,704 75
FACE							
Forehead.....	1	2	2	.....	.....	.....	.....
Cheek.....	2	3	2	.....	.....	.....	.....
Total.....	3	5	.....	.....	.....	.....	.....
TRUNK							
Spine.....	1	6	6	.....	.....	.....	.....
Thorax, rear lumbar.....	3	23	7	.....	.....	.....	.....
Thoracic organs.....	2	28	14	\$ 10 00	.....	.....	.....
External generative organs.....	1	7	7	.....	.....	.....	.....
Testicles.....	1	22	22	11 43	.....	.....	.....
Hernia, umbilical.....	1	19	19	6 00	.....	.....	.....
Total.....	9	105	.....	\$ 27 43	.....	.....	.....
ARM							
Upper arm.....	1	.....	.....	.....	.....	.....	.....
Elbow.....	2	10	5	.....	.....	.....	.....
Wrist.....	1	16	16	3 38	.....	.....	.....
Total.....	4	26	.....	\$ 3 38	.....	.....	.....

Table No. 23—Continued.

MEMBER	ALL CASES				RESULTING IN PERMANENT PARTIAL DISABILITY		
	Number Cases	Days Duration Disability	Days Duration Average	Compensation	Number Cases	Days Duration Disability	Compensation
<b>HAND</b>							
Hand, N. O. C.	3	14	5	5			
Palm	1	7	7	7			
Middle finger	2	15	8	8			
Ring finger	1	11	11	11			
Three fingers	1	14	14	14			
Finger, N. O. C.	2						
Total	10	61					
<b>LOWER EXTREMITIES</b>							
Hip	1	26	26	\$ 17 15			
Femur	1						
Knee	1	9	9	9			
Leg	1	28	28	18 00			
Tibia	1	48	48	48 58			
Feet, both	1	28	28	19 60			
Total	6	139		\$ 103 33			
<b>MISCELLANEOUS</b>							
Multiple injuries	28	290	11	\$ 104 01			
Asphyxiation	3	8	3	3			
Shock	4	89	22	72 85			
Heat prostration	3	33	8	14 30			
Location unknown	88	479	5				
Total	124	889		\$ 191 01			
Grand total	295	5,730		\$ 4,523 05	5	2,660	\$ 3,794 75

## PERMANENT PARTIAL DISABILITIES.

Accidents of this nature have been divided into two groups entitled "Dis-  
memberment" and "Loss of Use." Under the compensation act of this State,  
loss of use is not recognized to the extent that it is in many of the compen-  
sation acts. Consequently, the number is very low as compared with other  
reports. It will be noted that practically all cases of loss of use were eye  
injuries.

TABLE No. 24.

*Dismemberments.*

(Including Traumatic Amputations.)

MEMBER	Number of Cases	Days Duration Disability	Compen- sation
Eye.....	12	8,400	\$ 11,885 00
Upper arm.....	1	1,400	2,000 00
Forearm.....	2	2,450	3,270 00
Arm, N. O. C.....	1	105	75 00
Total.....	4	3,955	\$ 5,345 00
Hand, N. O. C.....	4	2,555	\$ 2,892 00
Thumb.....	9	2,100	2,730 00
Thumb, distal phalanx.....	5	840	1,099 00
Index finger.....	16	2,891	4,052 88
Index finger, distal phalanx.....	16	1,720	2,266 96
Index finger, second phalanx.....	2	455	517 10
Index finger, proximal phalanx.....	1	210	266 40
Middle finger.....	6	836	908 25
Middle finger, distal phalanx.....	10	1,016	1,429 29
Ring finger.....	5	770	1,088 25
Ring finger, distal phalanx.....	9	699	847 50
Ring finger, second phalanx.....	1	140	200 00
Ring finger, proximal phalanx.....	3	420	561 00
Little finger.....	8	660	730 95
Little finger, distal phalanx.....	5	350	385 60
Little finger, second phalanx.....	1	165	150 00
Thumb and one finger.....	4	2,695	3,062 50
Thumb and two or more fingers.....	11	3,874	4,936 25
Two fingers.....	22	6,827	9,140 36
Three fingers.....	17	6,744	9,492 45
Four fingers.....	3	1,855	2,176 75
Finger, N. O. C.....	2	400	575 00
Two or more parts, one not clearly major injury.....	1	486	600 00
Total.....	161	38,648	\$ 50,166 99
Thigh.....	1	1,225	\$ 1,680 25
Leg.....	5	5,105	7,218 75
Foot, N. S.....	5	3,335	4,393 75
Oscalcis.....	1	70	100 00
Great toe.....	1	210	300 00
Great toe, one phalanx.....	1	308	440 00
Lesser toe, N. S.....	1	70	100 00
Lesser toe, more than one phalanx.....	2	72	155 71
Greater toe and lesser toe or toes.....	2	210	273 50
Two or more lesser toes.....	2	420	560 00
Total.....	22	11,900	\$ 16,471 96
Multiple injuries.....	2	1,450	\$ 2,075 00
Grand total.....	201	64,353	\$ 85,943 95

TABLE No. 25.

*Loss of Use.*

MEMBER	Number of Cases	Days Duration Disability	Compensation
Eye.....	16	9,815	\$ 13,482 75
Wrist.....	1	2,100	\$ *976 14
Two fingers.....	1	175	250 00
Four fingers.....	1	122	1,175 00
Grand total.....	19	12,212	\$ 14,883 89

\*Lump sum settlement for 21,000 days—Award \$976.14.

## SUMMARY.

Dismemberments.....	201	64,353	\$ 85,943 95
Loss of use.....	19	12,212	14,883 89
All permanent partial disabilities.....	220	76,565	\$ 100,827 84

## PERMANENT TOTAL DISABILITIES.

This class of accidents is a very hard one to analyze with any degree of satisfaction. The variety of injuries makes it almost impossible to get an experience that is of any particular value and it seems advisable to keep from mixing these with other cases because of the result it has upon the experience. Consequently, these are not combined with either fatals or non-fatals and the experience is so short that the development of two permanent total disabilities is very incomplete because there may be others among the incomplete cases that will develop into this class.

The following two are the only cases of permanent total disability that have developed:

No. 1979. Date of injury, January 27, 1919. While riding on the front of a mine locomotive, employee fell and was run over by the engine, both legs being crushed and amputated. Award was made in this case for five hundred weeks at \$7.96 per week, amounting to \$3,980.00.

No. 5433. Date of injury, January 17, 1919. Injured while burning out pipes with gun cotton when one exploded, resulting in complete loss of vision and hearing. Owing to unusual circumstances, award has not yet been made in this case, but it should result in compensation for four hundred weeks at \$10.00 per week, or \$4,000.00, the maximum for permanent total disability prescribed in the act.

The problem of permanent total disability is difficult because of the effect of such a serious injury upon the workman. Some injuries of this nature have a tendency to interfere with the proper functions of the system and thereby shorten the duration of life, while others do not seem to effect to

any degree the functions of the system and would probably allow the full expectancy to be lived.

### CAUSES OF ACCIDENTS.

The tables entitled "Cause of Accidents" are divided into two groups: "mechanical" and "non-mechanical." It will be noted that 927 accidents were due to mechanical causes and 3,993 accidents were due to non-mechanical causes. In the permanent partial disabilities the non-mechanical agencies caused only 90 injuries, while mechanical agencies caused 130 injuries. That the mechanical agencies caused more serious disabilities than did the non-mechanical is also shown by the fact that the average duration of disability for mechanical causes is 45.74 days and for non-mechanical causes 27.56 days.

TABLE No. 26.

*Cause of Accidents.*  
(Mechanical.)

MACHINE	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>PRIME MOVERS AND POWER TRANSMISSION</b>					
Steam engines.....	2	14	1	105	
Gasoline engines.....	12	127	2	514	
Electric motors.....	1	10			
Set screws.....	1	25			
Belt and pulley.....	4	71			
Total.....	20	247	3	619	
<b>POWER WORKING MACHINERY</b>					
Clay and Stone Products					
Brick moulding machines.....					1
Pottery machines.....	1	112			
Stone crushers.....	3	33			
Stone drills.....	1	6	1	875	
Stone planers.....	1				
Rubbing bed.....	1	32			
Mining machine.....	5	107			
Total.....	12	290	1	875	1
<b>Metal Working Machinery</b>					
All other machinery.....	1	10			
Abrasive wheels.....	44	296	1	24	
Crimping rolls.....	2	15			
Mending and straightening machines.....	2	12			
Threading and tapping machines.....	3	37			
Boring machines.....	5	81			
Drill presses.....	4	49			
Die sinks.....	1	14			
Other milling machines.....	2	37			
Forging hammers.....	2	20			
Scrap pickers.....	2	46			
Other forging machines.....	2	29			
Lathes.....	12	103	1	700	
Turret lathes.....	1	38			
Molding machines.....	1	20			
Planers.....	4	47			

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Table No. 26—Continued.

MACHINE	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
Shapers.....	1	22	1	245	
Polishers and buffers.....	1		1	178	
Portable power tools.....	34	398	2	945	
Hydraulic presses.....	5	128			
Punch, stamping and trimming presses.....	4	167	4	1,087	
Punches and riveting presses.....	4	95	1	700	
Other presses.....	6	71			
Presses (hand and foot operated).....	2				
Rolling mills.....			1	210	
Saws, N. O. C.....	2	24			
Circular.....	1	4			
Shears, N. O. C.....	6	116	3	910	
Welding and heat cutting machines.....	1	14			
Total.....	155	1,893	15	4,999	
WOODWORKING MACHINES					
All other woodworking machines.....	12	151	2	770	
Boring machines and drills.....	1				
Lathes, N. O. C.....	10	81			
Mortising machines.....	1	22			
Tenoning, planing and molding machines.....	2	12			
Edgers.....	15	304	7	2,685	
Jointers.....			13	1,734	
Mathcers.....	2	22	2	525	
Molders.....	1		1	63	
Planers.....	3	38	1	66	
Tenoning machines.....	1				
Presses, N. O. C.....					
Clamping machines.....	1	12			
Box nailers.....	2	22			1
Box board squeezers.....	1	3			
Sanding machines.....	2	59			
Belt.....	1	20			
Spindle and post.....	1	1			
Saws (Band, scroll, or jig).....	17	240	3	1,610	
Band.....	3	32	2	225	
Saws (circular and all other).....	24	352	11	4,052	1
Circular.....	51	709	13	3,684	
Swing.....	9	246	3	2,011	
Dado.....	1				
Shapers.....	4	82	2	260	
Veneer machines.....	1		1	59	
Cooperage machines.....	8	69	2	752	
Excelsior machines.....	1				
Total.....	175	2,477	63	18,496	2
LEATHER WORKING MACHINES					
Tanneries					
All other.....	4	157			1
Buffing drums.....			1	20	
Jacks (felting, glassing, rolling, etc.).....	5	162			
Splitting machines.....	1	64			
Extractors.....	2	36			
Leather products					
All other.....	4	90			
Punching and pressing machines.....	1	26	1	19	
Sewing machines.....	3	24			
Buffing and scouring machines.....	1	11			
All other shoe making machines.....	1				
Total.....	22	570	2	39	1

Table No. 26—Continued.

MACHINE	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>PAPER MAKING MACHINES</b>					
All other .....	6	156			2
Paper products .....					
All other .....	2	12			
Paper cup machines .....	1	35			
Automatic box making machines .....	2	35	3	231	
Covering machines .....			1	455	
Cutting and punching machines .....					
Guillotines .....	1	81			
Hand paper cutters .....			1	1,050	
Punches .....	1				
Ending machines .....	1				
Bag and envelope making machines .....	5	25			
Other printing presses .....	2	107	1	105	
Other presses .....	1	14			
Other bookbinding machines .....	1	9			
Total .....	23	474	6	1,841	2
<b>TEXTILE MACHINES</b>					
All other .....	9	203	2	350	
Opening and cleaning machines .....					
Pickers .....	2	3			
Rag pickers .....			1	1,050	
Willow .....	1	28			
Carding and combing machines .....	2	90			
Cards .....	1	47			
Spinning machines .....	1	10			
Spinning frames .....	1	2	2	560	
Weaving machines .....	3	40			
Looms .....	9	206	2	490	
Dyeing, finishing and printing machines .....	1	29			
Pile cutting machines .....	2	22			
Braiding and knitting machines .....	1	9			
Sewing machines .....	4	227			
Cloth cutting and stamping machines .....	4	56			
Winders, doublers and quillers .....	1	4			
Total .....	42	976	7	2,450	
<b>LAUNDRY MACHINES</b>					
Ironing machines .....					
Body ironers .....	1	44			
Flat work ironers .....	1	35			
Mangles .....	1	14			
Washing machines (rotary) .....	1	11			
Total .....	4	104			
<b>FOOD PRODUCTS MACHINES</b>					
All other .....	2	33	3	507	
Cleaning, preparing and sorting machines .....	2	19			
Milling and grinding machines .....	3	26			
Dough mixers .....	1	11			
Shaping and forming machines, N. O. C. .....	1	35			
Cutting machines .....	3	12			
Bottling machines .....	8	78			
Tobacco working machines .....	81	546	3	332	
Total .....	101	760	6	839	
<b>CHEMICAL PRODUCTS MACHINES</b>					
Soaps, greases, oils and fertilizers .....					
All other .....	1				
Barreling, bagging, packing and wrapping machines .....	1	20			



Table No. 26—Continued.

MACHINE	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	Number Cases
<b>CHEMICAL PRODUCTS MACHINES—Continued</b>					
Mining and ore refining machines					
Sackett machines	1	133			
All other	6	217	3	910	
Office machinery	1	11			
All other	2	45			
Total	12	428	3	910	
<b>HOISTING APPARATUS</b>					
Elevators controlled	16	537	3	1,260	
Elevators, automatic and dumb waiters	5	45			
Construction hoists and elevators, not der-					
ricks	4	72			
Mine cages, skips and buckets					1
Cranes, locomotive	9	107	1	105	1
Cranes, other traveling	15	300	1	70	1
Derricks and jib cranes	4	59	2	262	2
Booms swinging	2	5			
Other	2	6			
Wood stackers	2	1			
Blocks and tackles, windlasses, capstans					
and winches	33	657	6	1,548	3
Hay frames, derricks and stackers	2	9			
Conveyors	3	93			
Air hoists	18	601	3	1,365	
Overhead trolleys					
Belt and chain conveyors	3	49			
Bucket conveyors	2	24	1	122	
Platform conveyors and escalators	1	31			
Total	121	2,705	17	4,732	8
<b>MISCELLANEOUS</b>					
All other	8	108	1	350	
Concrete mixers	15	431			1
Rock drills	2	30			
Pile drivers	2	69	4	1,662	
Grouting machines and cement guns	1	24			
Well drills	1				
Trench and ditch digging machines	9	176			1
Pumps	3	52	1	53	
Fans and blowers	3	25			
Pressers	1	24			
Automatic stokers			1	1,050	
Unclassified	46	756			3
Total	91	1,695	7	3,115	5
Grand total	778	12,617	130	38,915	19

NOTE.—There were no permanent total disabilities resulting from mechanical causes.

TABLE No. 27.  
Cause of Accidents.  
(Non-Mechanical.)

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>CARS AND ENGINES</b>					
Collisions.....	8	416	1	875	
Deraillments.....	4	89			
Car striking objects in track.....	2	41			
Falls from and in.....					
Getting on or off, in motion.....	7	108			
In getting on or off, at rest.....	3	46			
While riding on due to sudden start or stop.....	1	43			1
While riding on due to slipping or loss of balance.....	4	72			
While riding on, due to contact with side structure.....	6	128			
Falls, N. O. C.....	4	21			4
Struck by or caught between.....					
While coupling or uncoupling.....	8	220			
While repairing cars or engines.....	1	50			
While crossing track.....	6	183			
While standing or walking on.....	3	116	1	70	1
Other causes.....					
Setting or releasing hand brakes.....	4	45			
Objects falling from (not including unloading).....	1	253			1
Objects shifting on load.....			1	245	
All other.....	9	122	1	595	
Total.....	71	1,953	4	1,785	7
<b>MINE AND QUARRY CARS AND MOTORS (MINING MACHINE WHEN VEHICULAR IN NATURE)</b>					
Collision.....	6	197			
Deraillments.....	16	500			
Falls from due to sudden start or stop.....	7	131	1	1,400	
Riding on, contact with roof.....	7	217			
Riding on, contact with ribs or side structures.....	16	386	1	1,400	
Caught between and overhead obstruction.....	11	325			
Struck by or caught between while coupling or switching.....	57	999	6	907	1
Struck by N. O. C.....	20	423	1	82	2
Braking.....	8	205			
Spragging.....	2	36			
Lifting or pushing car.....	5	261			
Caught or struck by rope or chain.....	2	30			
Caught by car or load in dumping.....	9	251	1	210	
Getting on or off car.....	5	76	1	308	
Struck or caught between, N. O. C. (including animal-drawn or quarry cars).....	58	1,574	3	2,550	4
Total.....	229	5,611	14	6,857	7
<b>PLANT TRUCKS</b>					
Riding on, contact with ribs or side structure.....	1	21			
Struck by N. O. C.....	7	84	1	875	
Braking.....	1	9			
Caught by car or load in dumping.....	1	12	1	875	
Getting on or off car.....	4	135			
Objects falling from in transit.....	3	53			
Total.....	17	314	2	1,750	

Table No. 27—Continued.

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>AUTOMOBILES AND OTHER POWER VEHICLES</b>					
Collisions, skidding.....	1	14			
Collisions, breaking of parts.....	1	9			
Collisions, all other.....	10	232	1	875	1
Overturning, breaking of parts.....	2	53			
Overturning, all other.....	2	233			
Struck by.....	31	1,065	2	2,275	
Collision with cars or engines.....	5	144			
Cranking.....	32	726			
Breaking of car or parts not resulting in collision or overturning.....	2	7			
Falls from.....	10	304			
Objects shifting on load.....	1	11			
All other.....	6	369			
Total.....	103	3,167	3	3,150	1
<b>ANIMAL-DRAWN VEHICLES (NOT IN MINE OR QUARRY)</b>					
Collisions with cars or engines.....	1	42			
Collisions with other vehicles.....	1	24			
Collisions with stationary objects.....	2	54			
Overturning.....	9	296			
Falls from.....	5	88			1
Struck by.....	17	517			
Objects falling from (not loading or un- loading).....	1	42			
Objects shifting on load.....	1	24			
Mechanical unloading.....	1				
All other.....	4	42			
Animal-drawn implements (not mach- inery).....	1	35			
Moving logs.....	3	133			
Total.....	46	1,297			1
<b>WATER CRAFT</b>					
Collisions with other objects.....					1
Hawsers and other ropes.....	2	83			
Falls from or jumping overboard.....	2	20			2
Falls from rigging.....	2	12			
Falls into hatchway.....	1	8			
All other.....	4	101			
Total.....	11	224			3
<b>EXPLOSIONS, ELECTRICITY, FIRES AND HOT POISONOUS AND CORROSIVE SUBSTAN- CES</b>					
Steam boilers, escaping steam and hot water.....	6	152			
Steam boilers, all other causes.....	2	73			
Steam pipe, explosion of.....			1	50	
Steam pipe, all other causes, including valves.....	8	159			
Steam and hot water gauges, explosion.....	3	60			
Steam and hot water gauges, all other.....	3	56			
Other steam pressure apparatus, all other.....	5	26			
Total.....	27	526	1	50	
<b>EXPLOSION OF EXPLOSIVE SUBSTANCES</b>					
Explosives, blasting.....	1	42			
Premature shot.....	5	125	1	700	1
Misfires or delayed shot.....	3	38			1
Windy shot.....	1	31			

Table No. 27—Continued.

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>EXPLOSIONS OF EXPLOSIVE SUBSTANCES—</b> Continued.					
Tamping.....	1	16			
All other.....	3	31			
Gas (carbide).....	6	140			
Gasoline and other petroleum products.....	5	63			1
All other.....	3	37			
Total.....	28	523	1	700	3
<b>OTHER EXPLOSIONS</b>					
Ammonia apparatus.....	1	10			
All other (accidents due to bursting under pressure).....	3	44			
Electricity.....	28	434			5
Conflagrations, N. O. C.....	6	168			
Total.....	38	656			5
<b>HOT SUBSTANCES AND FLAMES</b>					
Hot water.....	15	222			
Asphalt, pitch and tar.....	11	360			
Other hot liquids.....	12	206			
Molten metal, at furnace or cupola.....	3	23			
Molten metal, pouring.....	15	340	1	700	
Molten metal, or slag, all other.....	9	245			
Radiant heat from incandescent metal.....	1	96			
Metal not molten, handling of.....	6	190			
Hot surfaces, contact with.....	8	160			
Oxacetylene or electric cutting or welding.....	5	19			
Flames, all other.....	10	75			
All other hot objects.....	20	258			
Oxacetylene gas and electric flash.....	2	14			
Total.....	117	2,208	1	700	
<b>POISONOUS SUBSTANCES</b>					
Monoxide gas (gasoline fumes).....	1	56			
All other gases.....	3	8			
Chlorine fumes.....	1	6			
Carbolineum.....	1				
Total.....	6	70			
<b>CORROSIVE SUBSTANCES—CONTACT WITH</b>					
Lime.....	7	158			
All other acids.....	7	184			
Sulphuric acid.....	1	40			
Caustic soda.....	7	37			
Carbon tetrachloride.....	1	88			
Total.....	23	467			
<b>FALLS OF PERSONS FROM ELEVATIONS</b>					
Benches, boxes, chairs, tables.....	14	357			
Bridges, dams, docks.....	1	9			
Cranes, derricks, elevators, etc.....	2	32			
Elevated bins, pickets and tanks.....	3	40			
Buildings in construction or demolition.....	13	384			4
Floors, temporary.....	6	97			
Ladders.....	5	63			
Ladders, breaking.....	4	150			
Ladders, slipping.....	16	276			
Ladders, all other.....	18	211			

Table No. 27—Continued.

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	Number Cases
<b>SCAFFOLD AND STAGING</b>					
Breaking or slipping	63	1,602			1
Tilting of scaffold	12	181			
Tilting or falling of loose plank	9	182			
All other	22	285			1
Boilers, engines and machines (platforms and runways)	9	272			
Piles	4	72			
Poles, trees and piling	4	68			
Roofs	9	340			
Runways, platforms, balconies			1	1,225	
Loading platforms	2	62			
Gang plank	8	160			
Stairs and steps	18	487			
Tramways and trestles	3	69			1
Windows and wall openings	3	22			
All other	24	508			
Falls due to slipping of object handled	37	841			1
Total	309	6,770	1	1,225	8
<b>INTO EXCAVATION, PITS AND SHAFTS</b>					
Bins and vats containing hot or corrosive substances	10	225			
Bins and vats, all other	6	169			
Floor openings	16	537	1	210	
Manholes	2	20			
Excavations, N. O. C.	13	204			2
Elevator shafts, from floor	6	242			
Elevator shafts into elevator car from floor	1	28			
Total	54	1,425	1	210	3
<b>ON LEVEL</b>					
Slipping	103	2,241	2	745	
Stumbling over fixed objects	35	550			1
Stumbling over loose objects	38	843			
All other	24	337			
Total	200	3,971	2	745	1
<b>STEPPING ON OR STRIKING AGAINST OBJECTS</b>					
Stepping on					
Nails	164	1,319			
All other sharp objects	32	536			
Stepping on or off elevators	1	8			
Total	197	1,863			
<b>STRIKING AGAINST</b>					
Nails, screws, etc.	25	220			
Splinters or sharp projections from walls or structure	15	156	1	175	
Other fixed objects	89	1,298	1	140	
Struck by swinging objects	5	140			
Stepping on flying objects	1				
Total	135	1,814	2	315	
<b>FALLING OBJECTS NOT BEING HANDLED</b>					
Collapse of					
Buildings and walls	3	68			1
Piles (stacked, stored or piles materials)	34	520	1	875	
Scaffolds or staging	3	43			
Chutes, conveyors and slides	2	152			
All other	17	261	1	70	1
Collapse of derricks	1	2			
Total	60	1,046	2	945	2

Table No. 27—Continued.

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	
<b>FROM ELEVATIONS</b>					
Tramways and trestles	2	18			
Runways, balconies and platforms	3	81			
Racks and shelves	4	28			
Floor openings	4	29			
Chutes, conveyors, slides and screens	1	14			
Machines and work benches	13	282			
Piles (stacked, stored material)	13	208	2	455	
Dumps, mine and quarry	1	31			1
Buildings in course of construction	19	271			
Scaffold and staging	6	178	1	140	
Temporary flooring	2	67			
Other elevations	59	497			1
Total	127	1,704	3	595	2
<b>TREES</b>					
Trees in felling	12	314			1
Trees lodged in felling	1	13			
Trees kick-back in felling	1	39			
Limbs, not in felling	1	12			
Total	15	378			1
<b>Objects tipping over</b>	12	210			
<b>INTO EXCAVATIONS</b>					
Ditches and trenches	3	120			1
Other excavations	1	81			
Total	4	201			1
<b>CAVES-INS (NOT MINE OR QUARRY)</b>					
Ditches and trenches	7	173			1
<b>IN MINES AND QUARRIES</b>					
Coal, etc., at working face	74	1,882			4
Coal, etc., from pillar or ribs	4	115			2
Coal, etc., from underground	32	626	1	420	2
Coal from roof in working places	41	1,079			5
Coal from roof in entries	3	140	1	875	
Ore or rock in stopes	1	37			
Timbers not in handling	5	140			
From surface into shaft	2	20			
From or in underground bins	3	27			
Cave-in of mine	1	36			
All other	5	107			
Total	171	4,209	2	1,295	13
<b>HANDLING OF OBJECTS</b>					
Heavy objects					
Objects dropped	400	7,134	6	695	4
Objects thrown	13	148			
Objects falling from load	112	2,496	3	280	
Objects falling from pile	14	310			
Caught between objects handled and other objects	219	3,475	11	1,168	
Strain in handling	139	2,939			
Handling, N. O. C.	27	341	1	350	
Caught by roller	2	33			
Total	926	16,876	21	2,493	4
<b>SHARP OBJECTS</b>					
Glass	12	217			
Protruding nails in objects	6	43			
Protruding wires	13	102			
Sheet metal and sheet metal object	30	266	1	105	

Table No. 27—Continued.

AGENCY	TEMPORARY TOTAL DISABILITY		PERMANENT PARTIAL DISABILITY		FATAL CASES
	Number Cases	Days Duration Disability	Number Cases	Days Duration Disability	Number Cases
<b>SHARP OBJECTS—Continued</b>					
Slivers-wood.....	25	385			
Slivers-metal.....	11	191			
Bone.....	2	22			
All other.....	22	363			
Total.....	121	1,589	1	115	
<b>HAND TRUCKS, CARTS AND WHEELBARROWS</b>					
Struck by, handled by injured.....	44	512			
Struck by, handled by another.....	20	275			
Caught between truck and object.....	9	116	1	210	
Object falling from (not loading).....	9	179			
Overturning.....	5	55			
All other.....	6	104			
Total.....	93	1,241	1	210	
<b>HAND TOOLS</b>					
In hand of injured					
Glancing or slipping of tools.....	249	3,285	5	978	
Breaking or coming apart of tool.....	20	172			
Flying object set in motion by tool.....	61	720	14	8,415	
Nails and spikes.....	2	11			
Metal chips.....	14	84			
Stone.....	2	24			
All other.....	15	127	1	595	
Total.....	363	4,423	20	9,988	
In Hand of Fellow Workman					
Glancing or slipping of tool in use.....	30	363	1	122	
Breaking or coming apart of tool.....	2	23			
Flying object set in motion by tool.....	7	136	3	2,100	1
All other.....	13	138	1	210	
Struck by.....	18	207			
Total.....	70	867	5	2,432	1
<b>DRAFT ANIMALS</b>					
Kicks and stepped on.....	27	533	1	700	1
Bites.....	2	62			
Runaways.....	8	173			
All other.....	9	81			
Total.....	46	849	1	700	1
<b>OTHER ANIMALS</b>					
Dogs.....	2	42			
Other animals.....	1	6			
Total.....	3	48			
<b>MISCELLANEOUS</b>					
Flying particles, N. O. C.....	53	635	2	1,400	
Doors, windows, covers and gates.....	23	229			
Violence of co-worker.....	4	24			
Horse-play.....	4	77			
Discharge of weapons.....	3	63			3
Insect bites.....	2	19			
Too indefinite to be classified.....	8	77			1
Snake bite.....	1	4			
All other.....	106	702			
Total.....	205	1,830	2	1,400	4
Grand total.....	3,834	68,503	90	37,650	69

### III. Workmen's Compensation Legislation in the United States.

In this section an attempt is made to set out, as briefly as possible, the development and purposes of workmen's compensation legislation and to summarize, for ready reference and comparison, the various workmen's compensation laws in the United States.

The first division of the section was published as a part of Bulletin No. 1, issued by the Commission in January, 1919. The summary of compensation legislation, contained in the second division of this section, was prepared by Mr. Carl Hookstadt, of the United States Bureau of Labor Statistics, Washington, D. C.

#### 1. Development and Purposes of Workmen's Compensation Laws.

The first workmen's compensation law was enacted by Germany in 1884. Since that time compensation acts have been adopted by over fifty countries, comprising all the great industrial nations of the world. In the United States the first general workmen's compensation act to stand the test of constitutionality was the New Jersey law of 1911. Similar laws have now been adopted by forty-two States and three territories. Congress, in 1916, passed a compensation act covering all civil employees in the service of the Federal government. The only jurisdictions now without such laws are Arkansas, District of Columbia, Florida, Georgia, Mississippi, North Carolina and South Carolina.

Modern economic conditions have produced workmen's compensation laws. Under the older system, work accidents were almost negligible. But as industrial operations have grown more complex and more intense, accidents have increased in number until they have become a definite and constant characteristic of modern industry. Figures show that in each industry every year a certain number of employees will be killed; a certain number will have their fingers or hands or legs or arms cut off, and a certain number will be injured in other ways. According to the best obtainable estimates, work accidents in the United States annually cause 35,000 deaths and about 2,000,000 injuries, over 500,000 of which produce disability lasting more than two weeks.

Many of these accidents can be traced to lack of care on the part of some person, but by far the greater part of them are due to the ordinary hazards of industry. They are apparently the necessary results of present methods of conducting business, not due to the fault of any particular individual; and responsibility for their occurrence rests with the industry rather than with the individual employer or employee.

Recent investigations bear out the statement that from fifty to sixty per cent of all industrial accidents are due to inevitable trade risks, inherent



in the business, quite apart from any negligence on the part of either employer or employee, and that many of the rest are due to causes so obscure and so complex that it is impossible to ascertain the facts necessary for accurate judgment.

#### FUNDAMENTAL PRINCIPLE OF WORKMEN'S COMPENSATION.

The fundamental principle of workmen's compensation is that the burden of these accidents should be borne by industry and that the cost should be added to the selling price of the product and distributed among the consumers. It is based upon the idea that the loss occasioned by an injury to a workman in the course of his employment is as much a part of the ultimate cost of the article produced as is the loss occasioned by the destruction of material or the wearing out and replacing of tools and machinery.

Losses of the latter kind have always been regarded as expenses to be included in the ultimate cost of the commodity produced, and it is just as logical to include the expense of an injury to a human employee in the cost of production of the commodity when the injury is caused by an accident in the course of his employment. The personal loss to the employee is as legitimately an element of the fair money cost of the product as are expenditures for raw material, machinery and wages.

#### THE CONSUMER PAYS THE COMPENSATION.

It is an error to say that the burden of the compensation cost is placed upon the employer. Compensation is made to fall upon the employer in order that it may ultimately reach the consumer. The employer is the only person who has the means and adequate knowledge to distribute it among those who enjoy the finished product.

When industries have once adjusted themselves to the conditions, the employer, in all but very unusual cases, secures his risk by a relatively small annual payment for compensation insurance and figures this expenditure in his cost of production just as in the case of insurance against fire or hail or any other unpredictable hazard. Also in many States compensation liability is carried at rates not greatly in excess of the rates formerly charged for employers' liability.

#### CONDITIONS SUMMARIZED BY JUSTICE PITNEY OF THE UNITED STATES SUPREME COURT.

The conditions which have called forth compensation laws are ably summarized by Justice Pitney in a recent decision upholding the constitutionality of the New York Workmen's Compensation law (*N. Y. C. Ry. vs. White*, 243 U. S. 188) as follows:

"In support of the legislation, it is said that the whole common law doctrine of employers' liability for negligence, with its defenses of contributory negligence, fellow-servants' negligence, and assumption of risk, is based upon fiction, and is inapplicable to modern conditions of employment; that in the highly organized and hazardous industries of the present day the causes of accidents are often so obscure and complex that in a material portion of cases it is impossible by any method correctly to ascertain the facts necessary to form an accurate judgment, and in a still larger proportion the expense and delay required for such ascertainment amount

in effect to a defeat of justice; that under the present system the injured workman is left to bear the greater part of industrial accident loss, which because of his limited income he is unable to sustain, so that he and those dependent upon him are overcome by poverty and frequently become a burden upon public or private charity; and that litigation is unduly costly and tedious, encouraging corrupt practices and arousing antagonisms between employers and employees."

#### ADVANTAGES OF WORKMEN'S COMPENSATION.

The compensation system has many advantages over the common and statutory liability laws. These advantages accrue to no one class, but are shared alike by employee, employer and society at large.

1. The injured employee receives definite and timely relief without the uncertainty and expense of a law suit. Under the older system only a small percentage of accidents were compensated, and in many of these cases the compensation was totally inadequate.

2. The employer knows that the sums paid by him, or by his insurer, go directly and in full to his injured workman. The elimination of waste in the litigation of claims will have a material effect in keeping the cost of compensation within reasonable limits. Moreover, the certainty that compensation will be paid is conducive to the contentment of the worker, and the removal of friction promotes harmony and productive efficiency.

3. Society itself benefits through the elimination, in a large measure, of the expense of negligence cases, estimated to consume from one-fifth to one-third of the time and expense of the courts, and through the reduction of poverty and destitution.

#### EMPLOYEE NOT RELIEVED OF RESPONSIBILITY.

The Virginia act cannot be said to relieve the employee of responsibility, moral or financial. Under its provisions, the injured employee still loses his wages for the first fourteen days of disability (and over sixty-five per cent of all injuries fall within this class), and for the period of disability extending beyond the fourteenth day he is entitled to only one-half of his former wages, in no case to exceed ten dollars a week or a maximum of four thousand dollars. Besides, the employee cannot collect if his injury was due to intoxication or wilful misconduct or wilful failure or refusal to use a safety appliance or perform a duty required by statute.

The law provides merely that industry shall bear a part of the burden of all accidents and leaves the employee to bear the remaining portion, care being taken that industry's portion shall be secured by insurance and that payments shall be made promptly and without litigation and expense.

## 2. Summary Comparison of Workmen's Compensation Laws in the United States, Including 1919 Legislation.

In attempting a comprehensible comparison of the various workmen's compensation acts, it is necessary to concentrate upon the more important features. The scope of an act is perhaps of foremost importance. In other words, what industries are covered, what persons are compensated, and what exemptions are made? The amount of compensation received is probably the next important feature of a compensation law. This includes the compensation scale, the length of time for which compensation is paid, the maxi-

mum and minimum limits, the amount of medical service provided, and the length of the waiting period. Other important features are the administrative system, provisions as to insurance, and type of injuries covered.

### COMPENSATION SYSTEMS.

Compensation laws may be either compulsory or elective. A compulsory law is one which requires every employer within the scope of the compensation law to accept the act and pay the compensation specified. There is no choice. An elective law is one in which the employer has the option of either accepting or rejecting the act, but, in case he rejects, the customary common-law defenses are abrogated.

Thirteen States and territories of the United States have compulsory laws, while thirty-two States have elective compensation laws.

### SCOPE OR COVERAGE.

No State compensation act, when full use of the elective provisions is taken into account, covers all employees. The nearest approach to universal coverage is the New Jersey act, which includes 99.8 per cent of all employees in the State. The principal exemptions, in the order of their importance, perhaps are: Non-hazardous employments, agriculture, domestic service, numerical exemptions, i. e., excepting employers having less than a specified number of employees; public employees, casual employees, casual laborers or those not employed for the purpose of the employer's business, and employments not conducted for gain.

#### *Hazardous Employments.*

The following thirteen States include only hazardous employments:

Alaska, Arizona, Illinois, Kansas, Louisiana, Maryland, Montana, New Hampshire, New Mexico, Oklahoma, Oregon, Washington and Wyoming.

#### *Numerical Exemptions.*

Twenty-two States exempt employers having less than a stipulated number of employees from the operation of the act. Of these:

Six States exclude employers having less than three employees:

Kentucky, Oklahoma, Porto Rico, Texas, Utah and Wisconsin.

Three exclude employers having less than four employees:

Colorado, New Mexico and New York.

Seven exclude employers having less than five employees:

Alaska, Connecticut, Delaware, Kansas, New Hampshire, Ohio and Missouri.

Two exclude employers having less than six employees:

Maine and Rhode Island.

One excludes employers having less than ten employees:

Tennessee.

Two exclude employers having less than eleven employees:

Vermont and Virginia.

One excludes employers having less than sixteen employees:

Alabama.

#### *Agriculture and Domestic Service.*

Hawaii and New Jersey are the only States which include agriculture and New Jersey the only State which includes domestic service. In all other States these employments are excluded.

*Public Employees.*

The following twenty-six States include all public employees, including both State and municipal:

California, Colorado, Connecticut, Hawaii, Idaho, Illinois, Indiana, Louisiana, Maine, Michigan, Montana, Missouri, Nebraska, Nevada, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia, West Virginia, and Wisconsin.

In the following twelve States the inclusion of public employees is only partial:

Alabama, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Oklahoma, Porto Rico, Vermont, Washington and Wyoming.

In the following seven States public employees are exempted:

Alaska, Arizona, Delaware, New Hampshire, New Mexico, Tennessee and Texas.

In addition to the foregoing exclusions, many States have special exemptions of more or less importance, the most frequent being the exclusion of highly paid employees, outworkers and clerical occupations. Maine also excludes logging and Tennessee excludes mining.

The foregoing exclusions have to do only with the statutory scope of the compensation laws. But what do these various inclusions and exclusions really mean when applied to each State? An attempt has been made to work out the number of employees actually covered by the various acts. The following table, in which the States are arranged in descending order according to percentage of employees covered, translates the statutory provisions into actual numbers.

COMPENSATION STATES ARRANGED IN DESCENDING ORDER OF  
PERCENTAGE OF EMPLOYEES COVERED.

STATE	Per Cent of Employees Covered	STATE	Per Cent of Employees Covered
New Jersey.....	99.8	Kentucky.....	60.2
Hawaii.....	92.6	South Dakota.....	58.0
Pennsylvania.....	88.8	New Hampshire.....	56.0
Massachusetts.....	87.8	Illinois.....	55.4
Michigan.....	83.1	Vermont.....	55.2
Rhode Island.....	82.9	Arizona.....	52.4
Connecticut.....	81.9	Washington.....	51.5
New York.....	80.1	Montana.....	50.9
West Virginia.....	80.1	Oregon.....	48.7
Indiana.....	79.4	Texas.....	47.9
Minnesota.....	79.0	North Dakota.....	46.8
Ohio.....	78.3	Wyoming.....	46.3
Nevada.....	76.2	Maryland.....	45.9
California.....	76.2	Virginia.....	45.6
Wisconsin.....	75.4		
Utah.....	74.4	Tennessee.....	37.2
Maine.....	72.9	Kansas.....	36.9
Nebraska.....	70.4	Oklahoma.....	35.9
Idaho.....	68.7	Louisiana.....	35.2
Missouri.....	66.1	Alabama.....	33.6
Colorado.....	63.1	Alaska.....	31.2
Delaware.....	62.9	New Mexico.....	30.7
Iowa.....	62.7	Porto Rico.....	20.5

## WAITING PERIOD.

In most of the States an injury, to be compensable, must cause disability for a certain length of time, no compensation being paid during this time.

This non-compensable preliminary period is known as the "waiting period." The most common provision is that disability must continue for more than one week, this being found in twenty-two States. Two States require a waiting period of three days, seven of ten days, and thirteen of two weeks. In twenty States the waiting period is abolished entirely if the disability continues longer than certain specified periods.

The following table classifies the States according to length of waiting period:

COMPENSATION STATES, CLASSIFIED BY LENGTH OF WAITING PERIOD.

No. Waiting Period (2)	3 Days (2)	1 Week (22)	10 Days (7)	2 Weeks (13)
Oregon...	Utah...	California...		
P. Rico...	U. S...	Connecticut (none if over 4 weeks).....	Colorado.....	Alabama (none if 4 weeks).
		Hawaii (none if partial).....	Maine.....	Alaska (none if 8 weeks).
		Idaho.....	Massachusetts.....	Arizona (none if over 2 weeks).
		Illinois (none if 4 weeks).....	New Jersey.....	Delaware (none if 4 weeks).
		Indiana.....	Pennsylvania.....	
		Kansas.....	South Dakota (none if 6 weeks).....	Iowa.
		Kentucky.....		Maryland (one if total and permanent).
		Louisiana (none if 6 weeks).....	Wyoming (none if over 30 days).....	Montana.
		Michigan (none if 6 weeks).....		New Hampshire.
		Minnesota.....		New Mexico.
		Missouri (none if over 6 weeks).....		New York (none if over 7 weeks).
		Nebraska (none if over 6 weeks).....		
		Nevada (none if 2 weeks).....		Rhode Island (none if over 4 weeks).
		North Dakota (none if over 1 week).....		Tennessee (none if 6 weeks).
		Ohio.....		Virginia.
		Oklahoma (none if 3 weeks).....		
		Texas.....		
		Vermont.....		
		Washington (none if over 30 days).....		

## COMPENSATION SCALE.

The actual amount of benefits received by injured workers is dependent upon the percentage scale, the weekly maximum, the periods for which compensation is paid, and the maximum amount payable in any individual case. The following table shows this information for each State in case of death, permanent total disability and partial disability:

COMPENSATION SCALE FOR EACH STATE IN CASE OF DEATH, PERMANENT TOTAL  
DISABILITY AND PARTIAL DISABILITY.

STATES	Per Cent of Wages	Weekly Maximum	Weekly Minimum	Maximum Period in Weeks and Maximum Amount Payable in Case of		
				Death	Permanent Total Disability	Partial Disability
Alabama.....	(25-60 (Death) 50-60 (Disabled))	\$12-\$15	\$5	300 (\$5,000).....	550 (\$5,000).....	300 (\$4,500)
Alaska.....	50.....			(\$6,000).....	Life (\$6,000).....	During disability (\$4,000).
Arizona.....	50.....			400 (\$4,000).....	Life (\$4,000).....	240 (3 years earnings)
California.....	65.....	20-83	4-17	240 (\$5,000).....	Life.....	During disability (\$2,600).
Colorado.....	50.....	10	5	312 (\$3,125).....	Life.....	
Connecticut.....	50.....	14-18	5	520.....	312.....	
Delaware.....	(15-60 (Death) 50-60 (Disabled))	15	5	285.....	475 (\$4,000).....	285
Hawaii.....	25-60 (Death) 60 (Total) 50 (Partial)	18	3	312 (\$5,000).....	312 (\$5,000).....	312 (\$5,000)
Idaho.....	(20-35 (Death) 55 (Disabled))	12	6	400.....	Life.....	150
Illinois.....	50-65.....	12-15	7-10	416 (\$4,000).....	Life.....	416
Indiana.....	55.....	13-20	5-50	300 (\$5,000).....	500 (\$5,000).....	300
Iowa.....	60.....	15	6	300.....	400.....	225
Kansas.....	(60 (Disabled) 50 (Special ins.))	15	6	3 years earnings (\$3,800).....	416.....	416
Kentucky.....	65.....	12	5	335 (\$4,000).....	416 (\$5,000).....	335 (\$4,000)
Louisiana.....	(25-55 (Death) 55 (Disabled))	18	3	300.....	400.....	300
Maine.....	60.....	15	6	300 (\$3,500).....	500 (\$4,200).....	300 (\$3,500)
Maryland.....	50.....	12	5	416 (\$4,260).....	Life (\$5,000).....	During disability (\$4,000).
Massachusetts.....	66-2-3.....	10-16	4-7	500 (\$4,000).....	500 (\$4,000).....	500 (\$4,000)
Michigan.....	60.....	14	7	300.....	500 (\$6,000).....	300
Minnesota.....	(30-66-2-3 (Death) 66-2-3 (Disabled))	15	6-50	300.....	550.....	300
Missouri.....	66-2-3.....	15	6	300.....	Life.....	400
Montana.....	(30-50 (Death) 50 (Disabled))	12-50	6	400.....	Life.....	150
Nebraska.....	66-2-3 (Death) 66-2-3 (Disabled)	15	6	350.....	Life.....	300
Nevada.....	(15-66-2-3 (Death) 66-2-3 (Total) 50 (Partial))	9-23-16-62	6-92	Death or remarriage.....	Life.....	433
New Hampshire.....	50.....	10		300 (\$3,000).....	300.....	300
New Jersey.....	(35-60 (Death) 66-2-3 (Disabled))	12	6	300.....	400.....	300

COMPENSATION SCALE FOR EACH STATE IN CASE OF DEATH, PERMANENT TOTAL  
DISABILITY AND PARTIAL DISABILITY.

STATES	Per Cent of Wages	Weekly Maximum	Weekly Minimum	Maximum Period in Weeks and Maximum Amount Payable in Case of		
				Death	Permanent Total Disability	Partial Disability
New Mexico.....	{15-60 (Death) 50 (Disabled)}	12	6	300.....	520.....	.....
New York.....	{15-66 2-3 (Death) 66 2-3 (Disabled)}	15-20	5	Death or remarriage.....	Life.....	During disability (\$3,500).
North Dakota.....	{20-66 (Death) 66 2-3 (Disabled)}	20	6	Death or remarriage.....	Life.....	During disability
Ohio.....	{66 2-3 50}	12-15	5	416 (\$5,000).....	Life.....	During disability (\$3,750)
Oklahoma.....	{66 2-3 50}	18	8	Not compensated.....	500.....	300
Oregon.....	{15-50 (Monthly) Pension 15-60 (Death) 60 (Disabled)}	.....	.....	Death or remarriage.....	Life.....	104
Pennsylvania.....	{15-60 (Death) 60 (Disabled)}	12	6	300.....	500 (\$5,000).....	300
Porto Rico.....	{50 50}	7	3	(\$4,000).....	(\$4,000).....	(\$2,500)
Rhode Island.....	{55 12}	10-14	4-7	300.....	500 (\$3,000).....	300
South Dakota.....	{55 12}	12	6.50	378 (\$3,000).....	Life (\$3,000).....	312
Tennessee.....	{20-50 (Death) 50 (Disabled)}	11	5	400.....	550 (\$5,000).....	300
Texas.....	{60 60}	15	5	360.....	401.....	300
Utah.....	{60 60}	16	7	312 (\$5,000).....	Life.....	312 (\$5,000)
Vermont.....	{15-45 (Death) 50 (Disabled)}	12.50	3	260 (\$3,500).....	260 (\$4,000).....	260
Washington.....	{10-50 (Monthly Pension) Death (Monthly Pension)}	.....	.....	Death or remarriage.....	Life.....	(\$2,000)
West Virginia.....	{50 (Disabled) 65}	12	5	Death or remarriage.....	Life.....	340
Wisconsin.....	{Fixed amounts 10-66 2-3 (Death) 66 2-3 (Disabled)}	14.63	6.83	320 (\$4,500).....	780.....	During disability (\$4,500)
Wyoming.....	{66 2-3 (Death) 66 2-3 (Disabled)}	15.38	7.69	(\$3,000).....	(\$5,500).....	(\$1,500)
United States.....	{66 2-3 (Death) 66 2-3 (Disabled)}	10	5	Death or remarriage.....	Life.....	During disability
Virginia.....	{50.....}	10	5	300 (\$3,000).....	500 (\$4,000).....	300

*Per Cent of Wages.*

In eighteen States the amount of compensation is 50 per cent of the employees' wages; in four States 55 per cent; in nine States, 60 per cent; in three States, 65 per cent, and in eight States and the Federal government, 66½ per cent.

*Weekly Maximum and Minimum.*

The compensation benefits based upon percentage of wages are usually modified by weekly maximum and minimum limits which may materially affect the amounts, though to what extent depends, of course, upon the wage level. Two States have no maximum or minimum provisions; five States have a weekly maximum of \$10.00 or under; one of \$11.00; eleven of \$12.00; seven of over \$12.00 and under \$15.00; eight of \$15.00; six of over \$15.00 to \$18.00, and two of \$20.00 or over; while three States (Oregon, Washington and Wyoming), provide monthly pensions of fixed amounts.

*Death.*

The benefits for death in most cases approximate three or four years' earnings of the deceased employee. The methods provided for determining compensation for death vary somewhat. Two States provide for fixed absolute amounts without reference to wages. Others provide that compensation shall equal the earnings of the employee for a specified number of years. The large majority of States, however, apply a wage percentage for specified periods. Of these, three States pay death benefits for less than 300 weeks; fourteen for 300 weeks; nine for over 300 weeks but under 400 weeks; eight for 400 to 500 weeks, while six States (Nevada, New York, North Dakota, Oregon, Washington and West Virginia) and the Federal government provide benefits until the death or remarriage of the widow. Twenty-two States also place a limit upon the maximum amount payable in any one case. These maximum amounts range from \$3,000.00 in New Hampshire, South Dakota and Wyoming to \$6,000.00 in Alaska.

*Permanent Total Disability.*

Most States recognize the fact that a permanently disabled workman is a greater economic loss to his family than if he were killed outright at the time of the accident, and consequently provide greater benefits than in case of fatal accidents. Eighteen States and the Federal government provide that for permanent total disability compensation payments shall continue for the full period of the injured workman's life. Three States pay benefits for 300 weeks or less; seven for 400 but under 500 weeks; thirteen for 500 to 550 weeks, and one for fifteen years. Nineteen States also place a limit upon the maximum amount payable in any one case. These maximum amounts range from \$3,000.00 in South Dakota to \$6,000.00 in Alaska and Michigan.

*Partial Disability.*

Two methods for compensating partial disabilities are generally provided for in the acts. One method is based upon the percentage of wage loss occasioned by such disability, payments continuing during incapacity but subject



to maximum limits. The second method is the adoption of a specific schedule of injuries for which benefits are awarded for fixed periods, the payments being based upon a percentage of wages earned at the time of the injury. Usually both methods of payments are provided. The practice in most States is to pay a percentage of the wage for fixed periods for certain enumerated injuries and for all other injuries a percentage of the wage loss during disability. The number of injuries specified in the schedule varies in the different States, but provision is generally made for the loss of arm, hand, leg, foot, eye, fingers and toes, and parts thereof.

In most of the States having schedules for specified injuries, the amounts provided are in lieu of all other compensation benefits except medical service. However, in ten States (Connecticut, Illinois, Missouri, Nevada, New Jersey, Ohio, Oregon, South Dakota, Utah and Vermont) and the Federal act, compensation is also paid for temporary total disability during the healing period, in addition to the scheduled amounts; while in Massachusetts and Rhode Island compensation is paid for total disability during the healing period and for partial disability thereafter, in addition to the schedule amounts. These facts should be borne in mind, therefore, in considering the following compensation table.

NUMBER OF WEEKS FOR WHICH COMPENSATION IS PAYABLE FOR  
SPECIFIED INJURIES IN THE SEVERAL STATES.

STATE	Loss of							
	Arm	Hand	Thumb	Index Finger	Leg	Foot	Great Toe	Sight of One Eye
Alabama.....	200	150	60	35	175	125	30	100
Colorado.....	208	104	35	18	139	104	18	104
Connecticut.....	208	156	38	38	182	130	38	104
Delaware.....	194	158			194	135		113
Hawaii.....	312	244	60	46	288	205	38	128
Idaho.....	200	150	30	20	180	125	15	100
Illinois.....	200	150	60	35	175	125	30	100
Indiana.....	250	200	60	40	200	150	60	150
Iowa.....	225	150	40	30	200	125	25	100
Kansas.....	210	150	60	37	200	125	30	110
Kentucky.....	200	150	60	45	200	125	30	100
Louisiana.....	200	150	50	30	175	125	20	100
Maine.....	150	125	50	30	150	125	25	100
Maryland.....	200	150	50	30	175	150	25	100
Massachusetts.....	50	50	12	12	50	50	12	50
Michigan.....	200*	150	60	35	175	125	30	100
Minnesota.....	200	150	60	35	175	125	30	100
Missouri.....	220	165	55	40	195	140	35	100
Montana.....	200	150	30	20	180	125	15	100
Nebraska.....	225	175	60	35	215	150	30	125
Nevada.....	260	217	65	39	217	173	30	108
New Jersey.....	200	150	60	35	175	125	30	100
New Mexico.....	150	110	30	20	120	100	15	100
New York.....	312	244	60	46	288	205	38	128
Ohio.....	200	150	60	35	175	125	30	100
Oklahoma.....	250	200	60	35	175	150	30	100
Oregon.....	416	329	104	69	381	277	43	173
Pennsylvania.....	215	175			215	150		100
Rhode Island.....	50	50	12	12	50	50	12	50
South Dakota.....	200	150	50	35	160	125	30	100
Tennessee.....	200	150	60	35	175	125	30	100
Texas.....	200	150	60	45	200	125	30	100
Utah.....	200	150	30	20	180	125	15	100
Virginia.....	200	150	60	35	175	125	30	100
Vermont.....	170	140	40	25	170	120	20	100
Wisconsin.....	320	240	70	32	300	180	25	140

*Comparison of Benefits.*

Thus far the various compensation factors have been treated as individual units. In the following table an attempt has been made to determine what benefits would be received under each compensation law in a given accident. Four representative types of injuries were taken as follows: (1) Death; (2) loss of major hand at wrist; (3) total disability for a period of four weeks, and (4) total disability for a period of thirteen weeks. The waiting period was deducted in computing the benefits for both of the disability items and for the loss of the hand in case compensation for temporary total disability was provided by law.

The example taken was that of a married man, 35 years of age, receiving \$21.00 a week and having a dependent wife, 30 years of age, and three normal dependent children, 3, 6 and 9 years of age. In computing the life expectancy of the injured man or his widow the American experience table of mortality was used.

The maximum benefits in each case have been given. The amounts computed for death include burial expenses where such are provided by law. It has been assumed that the loss of the hand resulted in a total disability of twenty-six weeks and a subsequent partial disability of 50 per cent for life. Several States have no schedule of specified injuries and in such States the compensation for loss of the hand has been based upon the given percentage of wages for the given number of weeks limited by the maximum amounts. In such States, together with those States which provide for a continuing partial disability in addition to the specified scale, both compensations have been given, i. e., compensation for total disability only and compensation for total plus partial disability. Compensation for total disability during the healing period has been included in the amounts given for those States which provide for such benefits. For the total disability accidents, as already noted, the waiting period in each case has been taken into consideration and deducted from the amount of the compensation.

### COMPARISON OF BENEFITS PAID UNDER THE WORKMEN'S COMPENSATION LAWS OF THE SEVERAL STATES.

STATE	MONEY BENEFITS RECEIVED IN TYPICAL CASES			
	Death	Loss of Hand*	TOTAL DISABILITY ACCIDENT	
			4 Weeks	13 Weeks
Alabama.....	\$ 3,250 00	\$ 1,890 00	\$ 50 40	\$ 163 80
Alaska.....	4,800 00	2,400 00	21 00	136 50
Arizona.....	4,000 00	273 00	42 00	136 50
California.....	3,276 00	†4,000 00	40 95	163 80
Colorado.....	3,125 00	2,852 85	25 71	115 71
Connecticut.....	3,376 00	1,040 00	31 50	136 50
Delaware.....	4,994 05	1,911 00	42 00	136 50
Hawaii.....	5,100 00	1,659 00	37 80	151 20
Idaho.....	7,345 00	2,562 00	34 65	138 60
Illinois.....	4,000 00	1,732 50	54 60	177 45
Indiana.....	3,565 00	2,402 40	34 65	138 60
Iowa.....	3,880 00	2,310 00	25 20	138 60
Kansas.....	3,276 00	1,890 00	37 80	151 20
Kentucky.....	4,075 00	1,575 00	36 00	144 00
Louisiana.....	3,565 00	1,800 00	34 65	150 15
Maine.....	3,500 00	1,732 50	32 40	145 80
Maryland.....	4,325 00	†1,575 00	21 00	115 50
Massachusetts.....	4,000 00	844 00	36 00	162 00
Michigan.....	3,780 00	†4,844 00	37 80	163 80
Minnesota.....	3,880 00	1,890 00	42 00	168 00
Missouri.....	4,300 00	2,100 00	42 00	182 00
Montana.....	4,275 00	2,674 00	21 00	115 50
Nebraska.....	5,050 00	1,575 00	42 00	182 00
Nevada.....	15,672 31	2,450 00	59 63	193 80
New Hampshire.....	3,000 00	2,606 10	20 00	110 00
New Jersey.....	3,250 00	240 00	30 86	138 86
New Mexico.....	3,540 00	†1,678 50	21 00	115 50
New York.....	15,647 31	2,094 86	28 00	182 00
North Dakota.....	17,581 58	1,155 00	56 00	182 00
Ohio.....	5,150 00	3,416 00	42 00	168 00
Oklahoma.....	†	3,640 00	42 00	136 50
Oregon.....	13,836 52	2,150 00	45 36	147 42
Pennsylvania.....	5,406 00	2,100 00	30 86	138 86
Porto Rico.....			28 00	91 00
Rhode Island.....	3,000 00	773 00	21 00	136 50
South Dakota.....	3,000 00	†2,348 00	29 70	150 15
Tennessee.....	4,300 00	2,032 80	21 00	136 50
Texas.....	4,536 00	1,575 00	37 80	151 20
Utah.....	4,063 80	1,890 00	45 00	158 50
Vermont.....	2,557 00	2,212 20	31 50	126 00
Virginia.....	3,100 00	1,858 50	30 00	110 00
Washington.....	14,868 80	1,500 00	36 35	157 50
West Virginia.....	10,249 20	1,915 00	31 50	126 00
Wisconsin.....	4,468 00	2,100 00	40 95	177 45
Wyoming.....	3,050 00	3,276 00	38 85	174 00
United States.....	17,581 58	1,348 00	50 00	176 00
		358 00		
		†11,953 92		

\* It is assumed that loss of hand causes decrease of 50 per cent in earning capacity.

† Includes compensation for partial disability.

‡ No provision.

|| 10 per cent deducted to cover employee's contributions.

## MEDICAL BENEFITS.

The following tabular statement shows briefly the maximum medical benefits provided under the various compensation laws:

STATE	Maximum Period	Maximum Amount	STATE	Maximum Period	Maximum Amount
Alabama.....	60 days	\$ 100 00	Nevada.....	*90 days	Unlimited
Alaska.....			New Hampshire.....		
Arizona.....			New Jersey.....	*4 weeks	\$ 50 00*
California.....	Unlimited	Unlimited	New Mexico.....	2 weeks	50 00
Colorado.....	60 days	200 00	New York.....	*60 days	Unlimited
Connecticut.....	Unlimited	Unlimited	North Dakota.....	Unlimited	Unlimited
Delaware.....	2 weeks	75 00	Ohio.....	Unlimited	*200 00
Hawaii.....	Unlimited	150 00	Oklahoma.....	*60 days	*100 00
Idaho.....	Unlimited	Unlimited	Oregon.....	Unlimited	*250 00
Illinois.....	*8 weeks	*200 00	Pennsylvania.....	30 days	*100 00
Indiana.....	*30 days	Unlimited	Porto Rico.....	Unlimited	Unlimited
Iowa.....	4 weeks	*100 00	Rhode Island.....	4 weeks	Unlimited
Kansas.....	50 days	150 00	South Dakota.....	12 weeks	150 00
Kentucky.....	90 days	100 00	Tennessee.....	30 days	100 00
Louisiana.....	Unlimited	150 00	Texas.....	*2 weeks	Unlimited
Maine.....	*30 days	*100 00	Utah.....	Unlimited	500 00
Maryland.....	Unlimited	150 00	Vermont.....	2 weeks	100 00
Massachusetts.....	*2 weeks	Unlimited	Virginia.....	30 days	Unlimited
Michigan.....	90 days	Unlimited	Washington.....	†Unlimited	†Unlimited
Minnesota.....	*90 days	*100 00	West Virginia.....	Unlimited	600 00
Missouri.....	8 weeks	200 00	Wisconsin.....	*90 days	Unlimited
Montana.....	2 weeks	50 00	Wyoming.....	Unlimited	100 00
Nebraska.....	Unlimited	200 00	United States.....	Unlimited	Unlimited

\* Additional service in special cases or in discretion of commission.

† Employees must pay one-half of medical cost.

It will be noted that three States (Alaska, Arizona and New Hampshire) furnish no medical service except that in fatal cases involving no dependents the expenses of last sickness shall be paid by the employer. Six compensation acts\* provide unlimited service. Nine laws place no limitations upon the period during which medical treatment shall be furnished, but do limit the amount; while nine limit the period, but do not limit the amount. All of the other laws place limitations upon both period and amount.

## INSURANCE.

Security of compensation benefits is necessary to safeguard the employee against possible failure or bankruptcy of employers. Such security is reasonably assured if employers under the compensation acts are compelled to insure their risks. In all but six of the compensation States (Alabama, Alaska, Arizona, Kansas, Louisiana and Minnesota) insurance is compulsory. Broadly speaking, the laws with respect to insurance requirements may be divided into four main groups, namely: exclusive State fund; competitive State funds; private insurance, either stock or mutual; and self-insurance, or where employers are permitted to carry their own risk. In most of the States, however, employers have the option of several kinds of insurance, but this does not hold true of the States having strictly exclusive State funds. In these no other form of insurance is permitted. Of the thirty-nine compulsory insurance States—

\* California, Connecticut, Idaho, North Dakota, Porto Rico, and the Federal Government.

The following eight States have exclusive State funds, except that Ohio and West Virginia permit self-insurance:

Nevada, North Dakota, Ohio, Oregon, Porto Rico, Washington, West Virginia and Wyoming.

The following nine States have competitive State funds:

California, Colorado, Idaho, Maryland, Michigan, Montana, New York, Pennsylvania and Utah.

The following thirty-one States permit private insurance:

California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Louisiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia and Wisconsin.

The following thirty-one States permit self-insurance:

California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Michigan, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia and Wisconsin.

#### ADMINISTRATION.

Some responsible administrative body is necessary to insure just and effective administration of the law. Thirty-four of the forty-five States and territories have such an administrative body. In the other eleven states, Alabama, Alaska, Arizona, Kansas, Louisiana, Minnesota, New Hampshire, New Mexico, Rhode Island, Tennessee, Wyoming, compensation matters are settled directly by the parties concerned and in the case of dispute the question is taken to the courts for adjudication.

## **IV. Rules, Opinions and Decisions.**

### **1. Rules and Regulations.**

The act (section 55) empowers the Commission to make such rules as may be necessary to carry out its provisions. Care has been taken to avoid a multiplicity of rules. The following have been found essential to the effective administration of the law:

#### **OFFICE HOURS.**

The principal offices of the Industrial Commission of Virginia are located at Nos. 6 and 8 north Sixth street, Richmond, with office hours each day (legal holidays excepted) from 9 o'clock A. M. until 5 o'clock P. M., except Saturdays, when the offices close at 12 M.

#### **FORMS—HOW PROCURED.**

The Commission has prepared and will furnish, without charge, all proper forms required by the provisions of the Virginia Workmen's Compensation Act, and such forms must be used in all cases where they are appropriate.

For purposes of convenience, insurance carriers will be permitted to place their names and business addresses above the other matter prescribed by the Commission on such forms as they may prepare for their convenient use.

#### **POSTING NOTICES.**

Every employer within the operation of the Virginia Workmen's Compensation Act shall post and keep posted, conspicuously in his plant, shop or place of business usually frequented by his employees, notice of his compliance with the provisions of the act. Such notice may be in writing or in print, and shall follow substantially the form prescribed by the Industrial Commission (Form No. 1).

#### **MANNER OF GIVING NOTICE BY EMPLOYEE TO EMPLOYER.**

Notice of injury shall be served upon the employer or any of his agents upon whom a summons in civil action may be served under the laws of this State, or may be sent by registered letter addressed to the employer at his last known residence or place of business. This notice should be given as soon as practicable after the injury has been sustained and must, in all cases, be served within thirty days thereof. (Act, sections 23 and 24.)

#### **REPORT OF ACCIDENTS BY EMPLOYER.**

Every employer shall keep a record of all injuries, fatal and otherwise, received by his employees in the course of their employment (Act, Sec. 67) and report the same to the Industrial Commission promptly at the end of

each quarter, commencing March 31, 1919, on blanks provided for that purpose (Form 45).

Within ten days after the occurrence or knowledge thereof of an injury to an employee causing his absence from work for more than seven days, a report thereof shall be made in writing to the Industrial Commission on the blank provided for that purpose (Form No. 3).

#### COMPENSATION AGREEMENTS BETWEEN EMPLOYER AND EMPLOYEE.

Agreements as to compensation between employer and employee are commanded by the act. Such agreements must be fairly made and in accordance with the provisions of the act. Memorandum of agreement (Form No. 4), accompanied by a physician's report (Form No. 6), shall be filed promptly with the Industrial Commission for approval or rejection.

#### EVIDENCE OF INSURANCE TO BE FILED WITH THE COMMISSION.

Every employer within the operation of the act shall file with the Industrial Commission proof of his compliance with the insurance provisions (Sections 11 and 68) of the act. A notice from the insurer (Form 14) certifying this fact will be received as acceptable proof.

#### INSURER TO NOTIFY COMMISSION OF CANCELLATION OF POLICY.

Any insurance carrier having issued a policy to an employer and desiring to cancel the same, shall be required to give ten days' prior notice thereof to the Industrial Commission at its offices in the city of Richmond. Likewise cancellations of policies for any cause shall be reported promptly to the Commission on Form 15.

#### APPLICATION BY EMPLOYER FOR SELF-INSURANCE.

Any employer desiring to insure his own risk under the provisions of section 68 of the act shall make application therefor on Form No. 20 and shall be required to reply as fully as practicable to all of the inquiries there made. The information so conveyed will be treated with strict confidence.

In every case where an application is favorably considered, a deposit of acceptable securities or an indemnity bond with corporate surety in an amount not less than five thousand dollars will be required. Each case will be considered upon its merits and with due regard to the probable hazard involved.

#### SECURITIES—HOW DEPOSITED.

All securities which may be deposited by self-insurers shall be lodged with the State Treasurer of Virginia for safe keeping, and a charge of one-twentieth of one per cent of the amount so deposited may be required to be paid to that officer for such service.



### SELF-INSURANCE BY THE STATE, ITS MUNICIPALITIES AND POLITICAL SUB-DIVISIONS.

Permission for self-insurance by the State and its various departments and political sub-divisions and the several municipalities of the State will be granted upon application therefor without submission of proof of financial ability and without deposit of bond or other security. Form 44 must be used for this purpose and assurance must be given the Commission that provision will be made for the payment of the four per cent premium tax provided for in section 75 (j) of the act.

### INFORMATION CONCERNING FINANCIAL CONDITION OF SELF- INSURERS.

No record of any information concerning the solvency and financial ability of any employer acquired by a commissioner or his agent by virtue of his powers under the Virginia Workmen's Compensation Act shall be subject to inspection; nor shall any information in any way acquired for such purposes by virtue of such powers be divulged by a commissioner or his agent, unless by order of the court, so long as said employer shall continue solvent and the compensation legally due from him, in accordance with the provisions of the act, shall continue to be paid.

### VARIATION IN NUMBER OF EMPLOYEES.

When within a given year an employer having eleven or more persons in his employ has complied with the provisions of the act and the number of his employees is subsequently reduced to less than eleven, such employer shall, in the absence of contrary notice to the Industrial Commission, be held to continue under the operation of the act for the remainder of the year. In this event, the employer shall keep proper notice posted in and about his place of business. Nothing contained in the foregoing rule shall be construed as limiting or restricting the right of any employer to reject the provisions of the act by giving proper notice thereof.

### ELECTIONS BY EMPLOYERS WITH FEWER THAN ELEVEN EMPLOYEES.

When within a given year an employer having fewer than eleven persons in his employ has, with his employees, elected to come within the provisions of the act, and has filed memorandum of such election, signed by himself and his employees, with the Industrial Commission of Virginia and has otherwise complied with the provisions of the act, such employer shall, in the absence of contrary notice to the Industrial Commission, be held to continue under the provision of the act for the remainder of that year. In this event, the employer shall keep proper notice posted in his plant or place of business. Nothing contained in the foregoing rule shall be construed as limiting or restricting the right of any employee to reject the provisions of the act by giving notice thereof.

**MEANING OF THE TERM "FARM LABORERS."**

The term "farm laborers," exempted by the language of section 15 from the operation of the act, is interpreted to mean persons engaged in horticulture as well as agriculture and in dairying and stock-raising when these are combined with farming.

**MEANING OF THE TERM "DOMESTIC SERVANTS."**

The term "domestic servants" as used in section 15 of the act applies to servants employed by private individuals for service in or about a private residence. It does not apply to servants employed in hotels, schools, restaurants and in other places of public resort or entertainment.

**METHOD OF CALCULATING PERIOD OF DISABILITY.**

To determine the period of disability for the purpose of computation, divide the number of days of disability, excluding the first fourteen days, by seven and make the denominator of the remaining fraction seven, without deducting Sundays or holidays.

**COMPENSATION FOR SUNDAYS—WHEN ALLOWABLE.**

Where under the terms of employment wages are paid by the day or week, and include compensation for work done on Sundays, and an injured employee returns to work on Monday, having been disabled fifteen days, he is entitled to one day's compensation. Otherwise, he is not entitled to compensation for said single day.

**COMPUTATION OF WAITING PERIOD IN CASES OF RECURRENT DISABILITY.**

Where an injured employee returns to work, deeming himself fit to resume his former duties, and after working one or more days finds himself unable to continue work and again lays off, the waiting period shall be computed from the date of his first injury, but the days during which he was subsequently employed, and for which he received compensation, should be excluded in the computation.

**LOSS OF PART OF PHALANX OF FINGER OR TOE.**

The amputation of any portion of the bone of the distal phalanx of a finger or toe shall be considered as equivalent to the loss of one-half of the phalanx of such finger or toe. Amputation of more than one-half of the bone of the phalanx shall be considered as equivalent to the loss of the entire phalanx.

**2. Informal Opinions.**

The following opinions are selected and summarized from several hundred replies to inquiries from various sources. They have been given for the convenience and general guidance of persons concerned, with the understand-

ing that they are informal and are without prejudice to the interests of either party to a formal hearing before the Commission. Naturally, specific cases must be decided in the light of the particular facts surrounding them.

#### **"EMPLOYEES" AS DEFINED BY THE ACT.**

Municipal police officers and firemen are employees within the meaning of the act. In this act the State has divested itself of the sovereign immunity and submitted itself to the terms thereof, and it has imposed upon political sub-divisions a like obligation.

Volunteer firemen of a town who are in no way controlled by the town authorities and to whom the town gives a bonus of \$18.00 per year, which sum is purely voluntary and for which no claim could be raised should the town fail to pay it, are not employees as defined in section 2 (b) of the act.

Servants employed by a college or preparatory school come within the act. The term "domestic servants," exempted by section 15 of the act, means servants employed in or around a private residence.

Laborers employed temporarily to do the work of unloading cars, such employment being of regular recurrence in connection with the employer's business, are within the operation of the act. The term "casual" as used in workmen's compensation acts generally refers to the nature of the work rather than to the length of the service; that is, even though an employment be temporary, it is not "casual" if it is in the usual course of the trade, business, occupation or pursuit of the employer.

Elective officers of the State or of its political sub-divisions do not come within the provisions of the act.

Teachers, janitors, clerks and stenographers, employed by a school board, are employees within the meaning of the act.

Traveling salesmen residing in Virginia and working in the State for an employer doing business in the State come within the law.

Traveling salesmen working on a commission basis also come within the law. The method of payment of an employee does not alone affect his status as regards the act.

Choir boys of a church receiving a nominal sum for attendance are not employees within the meaning of section 2 (b).

Cooks, housegirls and butlers, employed in a hospital, are within the operation of the act and are not covered by the term "domestic servants" as used in section 15. Domestic help applies only to individuals employed in and around private homes.

Pupil nurses in a hospital who receive a small allowance and board and uniforms are employees within the meaning of section 2 (b). Board and uniform would be considered a part of the consideration for their services. [See the language in section 2 (c)].

A division superintendent of schools is an employee within the meaning of the act, which includes all the State's employees save those elected by the people.

Superintendents of poor houses and other employees of counties are employees within the meaning of the act.

Carpenters putting up a building on a farm, and not employed regularly in farming, cannot be classified as "farm laborers."

#### "EMPLOYERS" AS DEFINED BY THE ACT.

City school boards are employers within the meaning of section 2 (a) of the act, and, being political sub-divisions within the meaning of section 8, cannot reject the provisions of the act relative to payment of compensation, etc.

A motor car agency and repair place having more than eleven employees, including clerks, salesmen and repair men, comes within the act.

An employer having from ten to fifteen men most of the time cutting and hauling wood, telegraph poles and logs to sawmill and loading on cars and working on the farm at other times, is covered by the terms of the act. The average is more than eleven employees and the major portion of the time they are engaged in other work than farming.

A steamship company engaged in business as an interstate carrier and having eleven or more employees within the State, is within the operation of the act. The wording of the act exempts railroads engaged in interstate commerce and intra-state carriers whose motive power is steam, but not interstate steamship lines.

An oyster packer employing eleven or more men in this business is within the operation of the act.

A Y. M. C. A. employing more than eleven persons, including janitors, maids and waiters, is within the operation of the act.

#### LIABILITY OF PRINCIPAL CONTRACTOR TO EMPLOYEES OF SUB-CONTRACTORS.

A person conducting a lumber business letting contracts to various sawmill men and paying these sub-contractors a stipulated price per thousand feet is liable to employees of the sub-contractors in case of injury sustained in the course of their employment. For full statement of conditions and application of section 20, see award by Commission and decision of Law and Equity Court of the City of Richmond in *Bray vs. Phaup & Tinsley*.

A provision such as that contained in section 20 is necessary to the successful operation of an act exempting employers with fewer than eleven employees. Otherwise certain lines of business may be broken up into a number of small units, each under a sub-contractor, and the provisions and purposes of the act thus evaded. The provision is intended to afford the employee certain and definite recourse. Also where a principal contractor is liable to pay compensation under this section he is given cause for action against the sub-contractor.

A principal contractor is not liable for injuries sustained by his sub-contractors, though he is liable for injuries sustained by the employees of those sub-contractors.

A general contractor constructing a building and letting out the work in whole or in part to sub-contractors is liable to the employees of these sub-contractors. The same would be true of an individual putting up the building by doing a portion of the work directly and sub-letting the rest.

An employer, a brick manufacturer, contracting with others to haul clay for him, is clearly within the operation of section 20 of the act and liable for injuries sustained in the course of this employment by the employees of the sub-contractors. The same is true of a rock-quarrying corporation letting out a part of its regular work to sub-contractors.

#### MEDICAL SERVICES.

An employer cannot be held for medical attention to an injured employee who declines to accept medical attention and the service of a fully equipped hospital provided by employer, unless the Industrial Commission, after investigating the conditions, should rule that failure to accept the same was reasonable and proper.

The wording of the act is such as to place upon the employer the duty of furnishing medical services, etc., and upon the employee the duty of accepting such services unless the conditions are exceptional.

#### AGREEMENT WITH EMPLOYEE AS TO COMPENSATION LIABILITY.

An employer cannot make an agreement with his employees that he will not be liable in case of accident. Such agreements are expressly forbidden by the act (section 7) and would, moreover, amount to legal duress.

#### PRESERVATION OF COMMON LAW DEFENSES.

An employer whose employees have rejected the act must continue under the act and comply with its insurance provisions in order to preserve his defenses to a common law action by said employees against him.

#### TORTS COMMITTED BY A THIRD PERSON.

Acceptance of compensation from the employer for an injury at the hands of a third person does not bar the employee, or the personal representative of a deceased employee, from action against the third person. The language of section 12 has reference only to the employer of the injured man and is not intended to debar the latter from bringing suit against a third party whose act caused the injury.

#### ACCIDENT OCCURRING TO EMPLOYEE OUTSIDE OF STATE.

When an accident occurs outside of the State, which would have been compensable had it occurred within the State, compensation is payable if the contract of employment was made within the State, if the employer's place of business is within the State and if the employee's residence is within the State. Under the wording of section 37 (a) the three conditions must concur. Compensation would also be excluded if the contract of employment is expressly made for services exclusively outside of the State.

### 3. Decisions.

Following are memoranda of decisions in connection with formal hearings before the Commission. The decisions are not printed in full, but the memo-

random in each case will be sufficient to indicate the principles involved. Title of the abstract is given at the head of each memorandum.

THOMAS SMITH

No. 44.

*vs.*

AMERICAN LOCOMOTIVE WORKS,

*Self-Insurer.*

February 24, 1919.

MEMORANDUM: The claimant on January 2, 1919, received an injury which arose out of and in the course of his employment with the defendant company. His injury consisted in fracture of the great toe of the left foot. Upon application by the claimant a hearing was had from which it appeared after examination of the evidence that claimant was disabled and incapacitated for work for a total period of seven weeks after disability.

AWARD: The defendant will pay to the claimant the sum of \$10.00 per week for a period of five weeks beginning two weeks after the accident, from which sum \$12.50 will be paid to the counsel for the claimant.

ISAAC BRAY

No. 55.

*vs.*

PHAUP & TINSLEY.

February 28, 1919.

Jurisdiction. Principal contractor, liability of for injured employees of sub-contractor. Independent contractor. Willful misconduct.

MEMORANDUM: The claimant filed an application for a hearing on February 2, 1919, in which he set out that he was injured on January 22, 1919, at Seven Pines, Va., while sawing wood and while in the employ of Phaup and Tinsley, and claimed that the injury arose out of and in the course of such employment.

The defendants in their answer set up the following as their principal defenses: (1) Defendants did not employ as many as eleven employees and were not subject to the provisions of the Compensation Act. (2) The plaintiff was employed by a third party at the time of his injury, which party was an independent contractor.

The local Council of Defense, which had secured a concession from the United States government to purchase a large number of felled trees and timber at Seven Pines, entered into a contract with Phaup and Tinsley to saw this wood and deliver it to customers at a certain price, for which they were to pay a stipulated price to the Council of Defense as the wood was sold.

Phaup and Tinsley in turn made a contract with Leonard and McNamee to saw and to deliver the wood to the railroad at Seven Pines. Leonard and McNamee employed the men to do the work for which they contracted. Among their employees was the claimant, Isaac Bray.

The first defense set up that Phaup and Tinsley did not have eleven employees working for them. The evidence, however, showed that including the office force in Richmond, the drivers, the men at the yard and the men engaged in sawing and hauling at Seven Pines, the total number of employees exceeded eleven.

As to the second defense that McNamee was an independent contractor, the evidence showed that he was not, within the meaning of section 20 of the act. The language of the statute is: "Where any person undertakes to execute any work which is a part of his trade, business or occupation, or which he has contracted to perform, and contracts with any other person, etc." It is sufficient to say that the evidence showed that Phaup and Tinsley after agreeing to do a specific work, in turn contracted with McNamee to do a part of this work while they themselves performed the residue thereof. That is, Phaup and Tinsley, together with Leonard and McNamee, carried out the full provisions of the contract originally made by Phaup and Tinsley with the Council of Defense.

**AWARD:** The defendant, Phaup and Tinsley, will pay to the claimant an amount of \$10.00 per week for a period of thirty-five weeks as compensation for the loss of the index finger in accordance with section 32 (g) of the act.

From the above award an appeal was taken to the Law and Equity Court of the city of Richmond. The award of the Commission was fully sustained, the court using the following language in an opinion handed down on September 5, 1919:

"Section 20 provides in effect that if a person has contracted to perform any work and he makes an independent contract with another person for the performance of the work, in whole or in part, still anyone employed in the work, although engaged by the second or independent contractor, is entitled to claim the compensation allowed by the act from the original contractor. Whatever may have been the intention of the act, the result of its language is to abrogate the technical doctrine of independent contractor, as understood in the law of master and servant, in the application of the provisions of the act to cases arising under it. It is also to be noted that this section 20 allows the original contractor, who is made to pay compensation to an employee of an independent or intermediate contractor, to hold the intermediate contractor liable therefor: and that it also allows the workman to demand the statutory compensation direct from the intermediate contractor: and finally that it is provided that the principal contractor, when sued alone by an employee of the intermediate contractor, shall have the right to call the intermediate contractor as defendant or co-defendant."

HARRY M. LETTS

No. 181.

*vs.*

E. K. WILSON,

Disability occurring subsequent to injury.

April 15, 1919.

**MEMORANDUM:** The claimant received an injury on January 7, 1919, which arose out of and in the course of his employment with the defendant. He informed the foreman of his job of his injury and was put on light work and continued on it until January 18, receiving full wage. On that date infection set in, the injury having consisted of a puncture in his hand by a splinter, and he was compelled to quit work until February 14, 1919. His employer disclaimed liability and claimant secured his own physician. The employer is liable for both compensation and the charges of this physician.

**AWARD:** The defendant will pay to the claimant the sum of \$10.00 per week from February 1st to February 14th, inclusive, and all costs of medical services incurred because of the injury.

THOMAS McREYNOLDS

No. 532.

*vs.*

BOXLEY, CHISHOLM & HALL and  
OCEAN ACCIDENT & GUARANTEE CO.  
April 15, 1919.

**MEMORANDUM:** It was admitted that claimant suffered an injury resulting from an accident arising out of and in the course of his employment with the defendant on Jan-

uary 25, 1919. The claimant and insurance carrier were unable to come to an agreement as to the amount due. The matter was accordingly set for a hearing and after consideration of all the evidence the following award was made.

**AWARD:** The defendant will pay to the claimant \$10.00 per week for seven weeks beginning two weeks after the accident, together with all medical services incident to the injury for a period of thirty days.

**I. E. BURNETT**

No. 350.

*vs.*

**PORTER BROS. and**

Medical services, liability of employer

**U. S. FIDELITY & GUARANTEE Co.**

for.

**April 15, 1919.**

**MEMORANDUM:** On February 17, 1919, the claimant suffered an injury while in the employ of the defendant. The sole question which came before the Commission was whether or not the employer was liable for the medical services rendered by the physician selected by the claimant.

When the claimant was injured he was taken to a hospital maintained by his employer. At the hospital he was told that he should remain several days under observation; he, however, became apprehensive about the welfare of his family and desired to go home. He went, it seems, with the consent of the hospital authorities and was sent in an automobile furnished by the hospital. He asked the hospital physician to call on him at his home, but was told that the physician had no time to make visits away from the hospital. The claimant was in no condition at that time to go to the hospital. He called in his own physician who visited him a number of times. After he was able to get up the claimant went to his physician's office several times for treatment.

The employer was liable to pay for the visits made at the claimant's home, but not for services furnished claimant in his office, for at that time the claimant could have returned to the hospital for treatment.

**AWARD:** The defendant will pay to the physician of the claimant the sum of \$21.00 to cover the charge for visits to claimant's home.

**WILLIE C. DOZIER**

No. 305.

*vs.*

Dependency, the mother of minor.

**H. H. DUNN and**

Average weekly wages. Medical at-

**MARYLAND CASUALTY Co.**

tention, liability of employer for payment of.

**May 5, 1919.**

**MEMORANDUM:** It was admitted that the initial injury to Willie Dozier on February 26, 1919, resulted from an accident arising out of and in the course of his employment with the defendant. The evidence showed that he died on March 5, 1919, as the result of this accident and that at the time of his death he was about 15 years of age.

The questions which came before the Commission were whether or not Alberta Dozier, the mother of the deceased and the claimant, was a dependent upon him and if so to what extent, the average weekly wage of the deceased and the method for computing the same, and the liability of the employer for the payment of medical attention by the deceased's doctor.

The evidence disclosed that the deceased had worked for the defendant for three months; that no medical attention was provided by the employer; that the weekly wage at the time of death was \$18.00, and that he gave all of this save \$3.00 to his mother. The employer had no records to show the average wage for the three months. The Commission found that it was improper to take the wage earned by the deceased in another employment in computing his average wage, that accordingly the \$18.00 per week



was the only rate admissible; that the mother was a dependent and entitled to medical costs incurred by her.

AWARD: The defendant will pay to the claimant the sum of \$7.50 per week for a period of 300 weeks beginning February 26, 1919, from which sum \$100.00 will be paid to counsel for the claimant at the rate of \$3.00 per week. In addition to the above, the defendant will pay funeral expenses not exceeding \$100.00 and the physician of the deceased the sum of \$17.65 for services rendered.

JAMES W. HARRIS  
VA. HIDE & FUR Co. and  
AETNA INS. Co.  
May 6, 1919.

No. 776.

MEMORANDUM: The claimant, while engaged in his usual work for the defendant, was kicked by a mule and as a result suffered hernia. The accident occurred on January 9, 1919, and the claimant was incapacitated until February 25, 1919. His average weekly wage was in excess of \$20.00. The employer had not offered medical services, but the claimant secured a physician whose services have been paid for by the defendant.

AWARD: The defendant will pay to the claimant \$10.00 per week for a period of 45/7 weeks, beginning January 23, 1919, and \$5.00 spent for medicines used under his physician's prescription.

CHARLES E. CARTER  
*vs.*

No. 268.

JNO. T. WILSON & Co., and  
MARYLAND CASUALTY Co.  
May 6, 1919.

Death, proximate cause of.

MEMORANDUM: Charles E. Carter, about two weeks prior to February 27, 1919, fell from a low platform on which he was working in a room, and so far as is known suffered an injury consisting of an abrasion of the lower leg. This accident arose out of and in the course of his employment with the defendant company. On February 27, 1919, he was admitted to the army hospital at Camp Lee suffering from lobar pneumonia and symptoms of paralysis and died February 28, 1919, from subdural hemorrhage along the entire length of the spinal cord. An autopsy performed failed to disclose the cause of the hemorrhage. The claimant, widow of the deceased, asked for compensation on the ground that death resulted from the accident sustained about two weeks prior to February 28, 1919.

A large volume of evidence was taken from which it was not possible to deduce that death was due to the accident. The burden of proving the death was due to the accident was upon the claimant, but the preponderance of evidence indicated that death was due to other causes than the accident.

AWARD: Claim disallowed.

WILLIAM TINZEY  
*vs.*

No. 41.

HARRY M. WAUGH and  
OCEAN ACCIDENT & GUARANTEE CORP., LTD.  
May 13, 1919.

Arising out of employment.  
Bigamous wife. Illegitimate children.

MEMORANDUM: The claimant was killed near the scene of his work on a railroad construction project for the defendant. A few minutes before the usual time for ceasing

work he had made ready to leave and was standing near the railroad track when he was struck by a train and killed.

Sallie Tinzey, in her own behalf and in behalf of James Tinzey and Lena May Tinzey, infants, set up her claim for compensation. It was contended by way of defense that the accident did not occur on the premises of the employer and that the claimants were not entitled to compensation because the marriage of William Tinzey and Sallie Tinzey was a bigamous one.

The accident occurred about forty feet from the scene of work and Tinzey was leaving by the route usually followed by employees, the use of which route was known to the employer. The marriage between William Tinzey and Sallie Tinzey was a bigamous one.

The Commission found that the accident did occur on the premises of the employer, and that the defense as to Sallie Tinzey was a good one, but that the infant children, though illegitimate, were entitled to compensation in accordance with section 40 (c) of the act, which reads as follows "As used in this section, the term 'Boy,' 'Girl' or 'Child' shall include stepchild, legally adopted children, posthumous children, acknowledged illegitimate children. . . ."

AWARD: \$5.00 per week to the trustee of each of the children for a period of 300 weeks.

REVIEW BEFORE THE FULL COMMISSION.

Upon application and after due notice to all parties concerned, this case came on to be heard before the full board for a review of the findings of fact and award made by Commissioners McHugh and Kizer.

After full examination of the testimony taken, the full Commission unanimously confirmed the above findings of fact and award and approved the same as the findings of the full board.

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ISAAC LAWSON

No. 662.

vs.

J. A. ESSER COKE Co., and  
MARYLAND CASUALTY Co.  
May 15, 1919.

Compensation, amount of.

MEMORANDUM: The only question involved at the hearing of this case was the amount of compensation to which the claimant was entitled, it being admitted that the defendant was liable for a just compensation. After having heard all of the testimony, it appeared that the claimant was entitled to \$10.00 a week for a period of 1 2/7 weeks for total disability and to the sum of \$12.00 for partial disability thereafter.

AWARD: The defendants will pay to the claimant the sum of \$25.35 together with cost for proper medical attention for a period of thirty days after the accident.

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A. J. THOMPSON

No. 762.

vs.

J. A. ESSER COKE Co. and  
OCEAN ACCIDENT & GUARANTEE Co.  
May 15, 1919.

MEMORANDUM: The claimant set up a claim for partial disability alleged to have been caused by working in a subterranean chamber of the defendant company in which there was insufficient ventilation. The disability claimed was that he suffered from headaches and general loss of health which precluded his working all of the time. His son and another man worked in the same mine with him and in fact did

his work when he found it necessary to leave. The testimony clearly showed that his son and the other workman were not affected by the alleged condition of the working chamber. Prior to the condition complained of, the claimant had suffered a prolonged attack of influenza and from the testimony of two physicians it appears that the disability which the claimant experienced was due to overwork in connection with the results of the influenza attack and to his advanced age. The opinion of the physicians was that the chronic illness complained of could not have been caused by the reasons claimed.

It was the opinion of the Commission that the claimant had failed to show that his disabled condition was due to an accident arising out of or in the course of his employment.

AWARD: Claim dismissed.

ROY DEZEARN

No. 104.

*vs.*

STONEGA COAL & COKE Co. and  
MARYLAND CASUALTY Co.  
May 15, 1919.

Dependency; computation.

MEMORANDUM: It was admitted that Roy Dezearn was killed on February 7, 1919, as a result of an accident arising out of and in the course of his employment with the defendant. The only question to be decided was whether John Dezearn, father of the deceased, was dependent.

John Dezearn, the father, is illiterate, and unable to earn more than small wages. In fact, his wages at the time of his son's death were 12½ cents per hour. The evidence abundantly showed that the deceased furnished about \$10.00 per week toward the support of his family. This set of facts clearly established that the claimant was a partial dependant upon Roy Dezearn. The average weekly wage of the deceased was \$25.00, and, accordingly, the claimant was entitled to compensation at the rate of 10/25 of \$10.00 per week, or \$4.00 per week.

AWARD: The defendants will pay to the claimant the sum of \$4.00 per week for a period of 300 weeks beginning February 7, 1919, out of which sum \$50.00 at the rate of \$2.00 per week will be paid to counsel for the claimant. The defendant will pay funeral expenses not exceeding the sum of \$100.00.

WILL JONES

No. 171.

*vs.*

STONEGA COKE & COAL Co. and  
MARYLAND CASUALTY Co.  
May 15, 1919.

Dependency, proof of.

MEMORANDUM: It was admitted that the accident which resulted in the death of Will Jones arose out of and in the course of his employment with the defendant and that his wage was in excess of \$20.00 per week. The only question for determination was whether or not Will Jones, Sr., father of the deceased, and Maggie Brown, sometimes called Maggie Jones, his alleged wife, were dependents within the meaning of the act.

For some time prior to his death, Will Jones, Jr., had lived with Maggie Brown, who was sometimes called Maggie Jones, but to whom he had never been married. There were no children born to Will Jones and Maggie Jones. Testimony failed to disclose any dependency of Will Jones, Sr., upon the deceased.

AWARD: The claim was dismissed as to the two claimants who appeared, but was continued to await the developments of any claim that the legal wife,

if any there be, of the deceased might have. The defendants will pay to the proper parties funeral expenses not in excess of \$100.00.

FRANK F. DUDLEY

No. 1064.

*vs.*

VA. SHIPBUILDING & DRY DOCK Co. and  
ASSOCIATED EMPLOYERS' RECIPROCAL.  
June 21, 1919.

Notice, failure to give within 30  
days.

MEMORANDUM: From the evidence produced in this case, it appeared that the claimant on March 22, 1919, sustained injury while engaged in his usual work as an employee of the defendant. At the time of the injury he did not suffer any material pain and did not report it to his employer, but continued to work until March 24th, when he suffered a further aggravation of his trouble while carrying a heavy weight. The claimant thereupon consulted a physician who attended him up to the time of the hearing. No notice of the accident was filed until May 1st. Upon receipt of the notice the company's physician examined the claimant and found he was suffering from inguinal hernia, and at that time it was impossible to determine when the condition arose. The physician further advised that had he been called immediately after the accident it would have been possible to state whether or not the hernia was a result of the accident. The evidence further disclosed that an operation had been recommended by both physicians, but that the patient did not consent thereto.

The Commission found that the claimant had failed to give notice to his employer within thirty days and that such failure prejudiced the rights of the employer.

AWARD: Claim disallowed.

JAMES SANDERS

No. 1142.

*vs.*

CITY OF NEWPORT NEWS,  
*Self-Insurer.*  
June 22, 1919.

Average weekly wage.

MEMORANDUM: At the hearing it was admitted that the injuries sustained were due to an accident which arose out of and in the course of employment of the claimant by the defendant. Further evidence was taken for the purpose of ascertaining the average weekly wage of the claimant, and from the evidence produced it appeared that the claimant's average wage for the fifty-two weeks preceding his injury was \$9.76 per week.

AWARD: The defendants will pay to the claimant the sum of \$32.50, together with all medical bills for a period of thirty days after the accident. From the above sum the defendant will pay to the counsel for the claimant the sum of \$7.50.

EDWARD BROWN

No. 963.

*vs.*

NEWPORT NEWS SHIPBUILDING &  
DRY DOCK Co.  
*Self-Insurer.*  
June 23, 1919.

Arising out of employment.

MEMORANDUM: Considerable evidence was introduced from which the Commission found that the claimant at the time of the injury was an employee of the defendant

and that the injury occurred as follows: While watching a game of cage ball on the playground, at his lunch hour, he noticed that one man seemed to be falling and thinking that he might prevent an injury, himself received an injury which resulted in the fracture of his knee cap. This playground was under the direction of the Y. M. C. A. and was maintained by the voluntary contributions from the employees and others. The employer had other places provided at which men might rest during the lunch hour. The Commission found that while the injury occurred on the premises of the employer, it did not arise out of or in the course of employment, since employees were not compelled to go to this place during their lunch hour, but could go voluntarily to take part in games or could, at their option, go to other places provided by the employer.

AWARD: Claim disallowed.

WILLIAM J. CARTER

No. 539.

vs.

NEWPORT NEWS SHIPBUILDING &  
DRY DOCK Co.

Dependency of bigamous wife.

*Self-Insurer.*

June 23, 1919.

MEMORANDUM: It was admitted that William J. Carter was killed in an accident on March 26, 1919, which arose out of and in the course of his employment with the defendant. A claim for compensation was set up by Mrs. Lessie M. Carter and Mrs. Ellen W. Carter, both claiming to be the wife of the deceased. From the evidence it appeared that Ellen W. Carter was the lawful wife of the deceased and that she had not deserted or abandoned her husband at the time of his death. A letter from Lessie M. Carter to the Industrial Commission stated that she had no claim against the estate of the defendant and wished to withdraw as a party in the case.

AWARD: The defendant will pay to the claimant, Ellen W. Carter, \$10.00 per week for a period of 300 weeks beginning March 27, 1919, together with \$100.00 to cover funeral expenses.

PHIL WALKER

No. 960.

vs.

MCLEAN CONTRACTING Co. and  
MARYLAND CASUALTY Co.

Assault by co-employee.

Arising out of employment.

June 23, 1919.

MEMORANDUM: The claimant while engaged in his usual duties as an employee of the defendant was attacked by a fellow-employee and shot through the knee.

From the answer filed by the defendant, the only question raised was whether or not the injury arose out of and in the course of employment. The evidence clearly showed that the assault upon the claimant was not provoked and the reliance of the defense upon it was without merit. The injury clearly arose out of and in the course of employment.

The attending physician of the claimant not having been present, the Commission was unable to determine whether or not the injury was permanent. Accordingly, the Commission designated a physician to make an examination and report thereon. Final award was reserved until the receipt of such report.

NOTE: There was no appearance for defendant at the hearing.

#### HEARING BEFORE THE FULL COMMISSION.

Upon full consideration of the evidence in the above case and the argument of counsel, the Commission confirmed the finding of fact heretofore made.

In addition to the facts found, the Commission found that the average weekly wage of the claimant was \$18.60, and that the claimant had suffered permanent partial disability equal to one-fourth of his earning capacity.

**AWARD:** The defendant will pay to the claimant the sum of \$9.30 per week from March 5th to June 23rd for total disability, and \$2.33 per week for a period not exceeding 300 weeks, beginning June 23, 1919, together with all costs of medical, surgical and hospital expenses for a period not exceeding thirty days.

LEROY HARPER

No. 693.

vs.

RICHMOND CEDAR WORKS and  
LIBERTY MUTUAL INSURANCE Co.  
June 24, 1919.

Sub-contractor, liability of principal  
contractor for employees of.

**MEMORANDUM:** Leroy Harper sustained an injury at a lumbering operation near Norfolk, Va., on January 14, 1919, and died January 19, 1919. His wife, Mary Lucy Harper, in her own behalf and in behalf of eight infant children, filed a petition for hearing to determine their rights as dependents upon the deceased.

From all evidence introduced, the Commission found the following facts: The Richmond Cedar Works purchased from one Waters the timber in a tract known as the "Gum Swamp," near Norfolk, Va., at an agreed price per thousand feet delivered on the cars. They also agreed to furnish Waters all appliances, machinery and equipment necessary for the operation of logging the timber. To that end a machine known as a skidder was sent from another logging operation to the "Gum Swamp" tract by the Richmond Cedar Works. Leroy Harper, who had been in the employ of the Cedar Works for about eighteen years, was sent as one of the crew of the skidder and died from injuries received when the machine broke. The wages of the crew and rental for the machine were taken from money due to Waters on the purchase price of the delivered timber. The Cedar Works claimed that the men were loaned to Waters and were therefore in his employment. But the deceased received no notice of the termination of his employment with the Cedar Works, he worked under his usual crew and woods foremen and was paid regularly by the woods foreman. He was from time to time moved away from the "Gum Swamp" to a nearby operation conducted by the Cedar Works, and also regular deductions for insurance and medical attention were made from his wages—a custom of the Cedar Works but not of Waters.

From the above evidence the Commission found that the deceased was an employee of the Richmond Cedar Works at the time he met with the accident and that the claimant, his wife, and her infant children are entitled to recover compensation. It was also held that even had the facts failed to establish the relationship of employer and employee between the Cedar Works and Harper, the same liability would exist under section 20 of the act, which provides that employees of a sub-contractor may look to the principal contractor for compensation in case of injury.

**AWARD:** The defendants will pay to the claimant the sum of \$8.66 per week for a period of 300 weeks, beginning January 19, 1919, and all medical, surgical and hospital expenses for a period of 30 days, and to proper parties the sum of \$100.00 for funeral expenses. Out of the above award to the claimant, the defendants will pay the sum of \$250.00 to the attorney for the claimant.

#### HEARING BEFORE THE FULL COMMISSION.

This case came up to be heard before the full Commission on the application of the defendants. After a careful reviewing of all of the evidence

taken in this proceeding, the Commission was unanimously of the opinion that the findings of fact and of law reached by Commissioners McHugh and Kizer should be affirmed.

MICHAEL H. HOLMES

No. 333.

*vs.*

NORFOLK MARINE RY. Co. and  
LIBERTY MUTUAL INSURANCE Co.  
June 24, 1919.

Dependency, what constitutes.

MEMORANDUM: Michael H. Holmes was injured in an accident which arose out of and in the course of his employment with the defendant. The accident occurred on February 13, 1919, and he died on February 22nd. He left no wife or children, nor any other person dependent upon him for support except the claimant, his sister, Lillian B. Holmes. The sole question for decision was whether or not the claimant was dependent upon the deceased, and if so, to what extent. From all the evidence produced, it appeared that the deceased and his sister lived in a small dwelling in which they both had an interest and for which they did not have to pay any rent. The only means of support that the claimant had was the money given her by her brother, irregular charitable contributions from the church, and a small rental received from a dilapidated little building which she was able to rent a portion of the time to negroes. The contributions of money, clothing and food given by her brother were entirely essential to her living, as she was not able to do any work. The wages of the deceased were in excess of \$20.00 per week and it appeared that the claimant was entitled to 110/275 of \$10.00 per week for a period of 300 weeks.

AWARD: The defendant will pay to the claimant the sum of \$4.00 per week for a period of 300 weeks, beginning February 15, 1919, and to the proper parties, all costs of medical, surgical and hospital expenses for a period of thirty days, and funeral expenses not to exceed \$100.00.

GEORGE O. GLASGOW

No. 333.

*vs.*

TRAVIS ARTS & CRAFTS SHOP and  
U. S. CASUALTY Co.  
June 27, 1919.

Partial loss of vision.

MEMORANDUM: From the evidence produced it appeared that the claimant on February 26, 1919, while engaged in his usual business as an employee of the defendant sustained an accident which resulted in an injury to his eye from a flying nail. The medical testimony established that the vision was permanently impaired to the extent of twenty-five per cent. The only question before the Commission was whether or not partial loss of vision is compensable under the statute which provides specific award for the loss of an eye. The schedule for specific injuries provides for the partial loss of other members and since the entire damage in connection with the loss of an eye is loss of sight, the Commission was of the opinion that the partial loss of sight is an injury of the sight to be compensated.

AWARD: The defendants will pay to the claimant the sum of \$10.00 per week for a period of twenty-five weeks, beginning March 12, 1919, together with medical, surgical and hospital expenses for a period of thirty days after the accident.

DAVE GREGORY

No. 962.

vs.

K. NICHOLSON FURNITURE Co. and  
LIBERTY MUTUAL INSURANCE Co.  
July 16, 1919.

Misconduct, wilful. Employment, re-  
fusal to accept. Arising out of em-  
ployment.

**MEMORANDUM:** On March 29, 1919, claimant was directed by the manager of the above employer to make certain repairs to a sander, a machine used in the manufacturing of furniture. After the machine was repaired, he attempted to operate it without the usual guard with the result that his little finger was entirely severed at the distal joint.

The defendants claimed that Gregory was warned not to operate the machine without the guard, and that in so doing he was guilty of willful misconduct. The defense also made that claimant refused to accept employment offered him after the injury.

From the testimony taken it appeared that the manager had told Gregory that he wished to make an experiment of operating the machine without the guard, and in so doing the injured thought that he was carrying out the wishes of the manager. There was no rule posted in the factory warning employees not to operate this machine without the guard, and Gregory, whose regular occupation was in the engine room, testified positively that he was never at any time so warned.

At the request of the defendants, the claimant returned to work on two or three separate occasions, but was assigned work that he could not reasonably perform. On these occasions he did work, for which he received full wages for three days.

The Commission found that there is no merit in the defenses that the claimant was guilty of wilful misconduct or that he declined work offered him, but that his injury was sustained as a result of an accident arising out of and in the course of his employment.

**AWARD:** The defendants will pay to the claimant the sum of \$9.00 per week, beginning April 15, 1919, for a period of 8 3/7 weeks for permanent total disability; \$1.50 per week, beginning June 13, 1919, for a period of 291 4/7 weeks, unless subsequent conditions require a modification for permanent partial disability, together with all medical, surgical and hospital expenses for a period not exceeding thirty days after the accident. The defendants will pay from the sum above awarded, \$50.00 as a fee to the attorneys for the claimant.

LUCIUS WESLEY

No. 1065.

vs.

GLAMORGAN PIPE & FOUNDRY COMPANY, and Disability, proximate cause of.  
GLOBE INDEMNITY COMPANY.  
August 2, 1919.

**MEMORANDUM:** The claimant on March 26, 1919, received an injury arising out of and in the course of his employment with the defendant company. The injury consisted in a fracture of the entire length of the side of the skull and a depression of about an inch on the fractured side. He was operated on and kept in the hospital for five weeks, after which he returned home greatly improved. On May 19th he returned to work and continued to work until June 7th, when he quit, and later returned to work on July 7th and thereafter quit again on July 27th. The question which came before the Commission for decision was whether or not he was fully able to return to work on May 19th, and whether or not he was incapacitated at the times he quit thereafter because of his original injury. The decision of this question rested entirely on the medical testimony. The surgeon's testimony was to the effect that injuries to a patient such as the claimant suffered, when they did not result in death, left the patient subject to the probability of



numerous ailments and even sometimes sudden death. In this opinion the medical advisor of the Commission agrees. Disability complained of by the claimant was pains in the back and neck, which cannot be imputed to the accident suffered according to the Commission's medical advisor. The claimant at the time of his injury was making \$18.00 per week and he is accordingly entitled to compensation of \$9.00 per week from April 9th to May 19, 1919, the date of his first return to work.

AWARD: \$9.00 per week from April 9, 1919, to May 19, 1919, and the sum of \$15.00 therefrom to the attorneys for the claimant.

WILLIAM GRANGER

No. 1345.

*vs.*

JOHN P. PETTYJOHN & Co.

Disability, proximate cause of.

*Self-Insurer.*

August 4, 1919.

MEMORANDUM: The claimant, while engaged in digging a ditch for the defendant employer, received an injury by a fall of earth, which resulted in a severe sprain to his knee. The employer furnished him the services of a doctor. At the time of this hearing compensation had been paid for a period of eleven weeks at the correct rate. The evidence disclosed that the claimant had symptoms of internal injury. An X-ray was taken which showed a normal condition of his stomach, intestines, lower spine, sacrum and sacro-iliac joints, but a tubercular condition of both lungs, which was the cause of a hemorrhage which occurred a few weeks before the hearing and which led the claimant to the belief that he had suffered internal injuries. Also his teeth were in a bad condition and caused a sufficient general septic condition to create neuritis, nervousness and the loss of energy. In addition to that, the claimant also had arterio-sclerosis. This evidence led to the conclusion that the claimant's condition was due to other causes than the accident and the Commission accordingly found that he had been fully compensated for his disability.

AWARD: Further compensation denied, but reasonable charges for the medical attention of the injured's physician will be paid by the employer.

NORMAN WARREN

No. 195.

*vs.*

CLINCHFIELD COAL CORP.

Dependency, degree of.

*Self-Insurer.*

August 7, 1919.

MEMORANDUM: Norman Warren was killed as a result of an accident on February 16, 1919, while in the employ of the above defendant. The only question raised at the hearing was whether or not the claimant, Mrs. Icenhour, the mother of the deceased, was dependent upon him, and if so, to what degree.

Warren contributed to the support of his family by giving all of his time to the cultivation of their farm. He later went out to work and at the time of his death was receiving an average of \$17.00 per week from the defendant. The statement of the sums of money sent to his mother was very vague, but from all evidence obtainable it appeared that he contributed very nearly one-half of his wage to the support of herself and her family, and accordingly she was entitled to \$4.00 per week.

AWARD: The defendant will pay to the claimant \$4.00 per week for a period of 300 weeks, \$291.95 of which will be paid to counsel for claimant, together with funeral expenses not to exceed \$100.00.

AMON BROCK

No. 936.

vs.

STONEGAP COLLIERY

Arising out of employment. Proof,

OCEAN ACCIDENT &amp; GUARANTEE CORP., LTD. burden of. Medical attention.

August 8, 1919.

**MEMORANDUM:** The claimant applied to the employer on February 6, 1919, for work and was engaged. It appeared that before his employment the claimant was suffering with a sore on the back of his hand. He claimed that he became injured on February 6, 1919, while at work and went to the company's physician, who advised treating his hand with iodine. The claimant so treated his hand but did not return for further treatment, and made no report of his injury until twenty-eight days after his visit to the doctor. On February 15th he went to another doctor, who thereafter treated him.

There was serious conflict in the evidence as to whether or not the injury alleged existed prior to his employment. In such case the burden of proof is on the claimant to show that the injury was a result of an accident arising out of and in the course of his employment. The Commission did not find that he satisfied this burden of proof.

In accordance with section 26 of the act, the claimant was required to accept the medical services provided by the employer, unless there were circumstances justifying his employing another doctor. Failure to accept such medical services deprives him of the right to compensation. The claimant knew that medical services were available, but he failed to use them save when his injury troubled him for the first time.

AWARD: Claim disallowed.

F. G. WELLS

No. 760.

vs.

J. A. ESSER COKE Co., and

Dependency, measure of.

AMERICAN INDEMNITY EXCHANGE.

Counsel fees.

August 8, 1919.

**MEMORANDUM:** Ernest Wells on January 14, 1919, fell from a mine car, was run over and instantly killed. F. G. Wells, father of the deceased, claimed to have been dependent upon his son.

It was admitted at the hearing that Ernest Wells died of an accident that arose out of and in the course of his employment with the above-named company. The only question involved was that of dependency and the amount thereof, and issue was joined thereto.

From the evidence taken it appeared that the deceased had earned for the twenty-three weeks prior to his death the average sum of \$12.70 per week, one-fourth of which he contributed toward the support of his father. The claimant was therefore entitled to one-fourth of fifty per cent of \$12.70 per week, or \$1.60 per week for 300 weeks.

**AWARD:** The defendants will pay to the claimant, F. G. Wells, the sum of \$480.00 in weekly installments of \$1.60 per week, commencing January 14, 1919, and burial expenses not exceeding \$100.00, together with the cost of this proceeding. Of the above sum, \$50.00 will be paid to the attorneys for the claimant out of the first money due.

HENRY P. SHORT

No. 1272.

vs.

BLACKWOOD LUMBER Co., INC.

Medical attention, cost of.

*Self-Insurer.*

August 8, 1919.

**MEMORANDUM:** The claimant, while in the employ of the Blackwood Lumber Co., had his toe mashed as a result of an accident on April 4, 1919. He called on the employer's

physician, who was not in, and who saw him two days later. The physician gave instructions of treatment to be followed, which instructions he contended were disobeyed, but which the claimant contended were followed. Later the claimant called in two other physicians, one of whom recommended that he be sent to a hospital. This physician consulted the employer's physician on this point and the latter agreed to his advice, saying, "The best thing to do is to get him to a hospital." The claimant arrived at the hospital with a rather high temperature and in a septic condition. He was suffering at the time from an abscess on the thigh which the hospital physician testified was a result of infection in the injured toe.

The Commissioner found that the employer was not liable for the doctor's bills incurred by the claimant, but that he was entitled to be reimbursed for the sum spent by him for hospital services as the employer's physician agreed that he should go to the hospital and as a speedy cure resulted from this move, averting a serious condition of the claimant.

**AWARD:** The claimant is entitled to compensation from the 25th of April to the 23rd of June, 1919, the period of his disability, together with \$64.00, cost of his medical services.

#### REVIEW BY THE FULL COMMISSION.

This case came on to be heard before the full board in review of the findings of fact and award made by Commissioner McHugh on August 8, 1919.

After full review of all the evidence in the case, the Commission concurred with the findings rendered at the original hearing.

WILLIE MILLIGAN

No. 1042.

*vs.*

STONEGA COAL & COKE CO.  
August 8, 1919.

Partial disability.

**MEMORANDUM:** Willie Milligan suffered an injury which was a result of an accident arising out of and during the course of his employment with the Stonega Coal & Coke Co. The injury complained of was to the hand, which is still in a somewhat stiffened condition. Whether or not this condition is temporary or permanent cannot be ascertained at this time, but there was no dismemberment of any part of the hand.

The injury was sustained on March 25, 1919, and the claimant returned to work on May 12, 1919, at full pay. He is, therefore, entitled to compensation from April 8, 1919, to May 12, 1919, which compensation has already been paid by his employer.

As there is no loss of earning power no additional compensation can be awarded.

**AWARD:** Additional compensation is denied, but the right is reserved to the complainant to re-open this case should later developments show a loss of earning power resulting from this accident.

REUBEN BRIGHT

No. 638.

*vs.*

OLD DOMINION POWER Co., and  
OCEAN ACCIDENT & GUARANTEE CORP., LTD.  
August 8, 1919.

Extent of injury. Pre-existing  
injury.

**MEMORANDUM:** The claimant suffered an injury which arose out of and in the course of his employment. There was a conflict in the testimony as to the extent and character of the injuries sustained. The testimony of physicians being in conflict as to the extent of the injury and its effect upon the earning power of the claimant, an X-Ray picture was taken. An examination of this picture disclosed that there was a dislocation of the

metacarpal bone of the first finger which occasioned some of the pain, but the finger was gradually assuming its normal functioning power. The picture also disclosed that the claimant was suffering from arthritis, which caused a part of the pain complained of. However, his left hand was similarly affected, indicating that a part of the disability was the result of pre-existing and natural causes.

From the testimony of physicians as to the extent of his disability the following award was made:

**AWARD:** The average wage being in excess of \$20.00, compensation is awarded the claimant as follows: \$10.00 per week from March 6 to July 6, 1919; \$5.00 per week from July 6 to August 8, 1919, and \$3.00 per week from August 8, 1919, continuing for a period of three months. To the attorney for the claimant an award of \$30.00 is made to be paid out of the sum allowed above.

CURTIS PENDERGRAFT

No. 518.

vs.

VIRGINIA-LEE CO., INC., and  
OCEAN ACCIDENT & GUARANTEE CORP., LTD.  
August 9, 1919.

Dependency, partial.

**MEMORANDUM:** Curtis Pendergraft sustained an accident on March 31, 1919, while in the employ of the defendant and as a result thereof died immediately. I. B. Pendergraft and Sarah Pendergraft, claimants, are the uncle and aunt of the deceased, having reared him from childhood. The claimants are 70 and 65 years of age, respectively, and able to earn very little money. The deceased had contributed regularly to their support. During the time of employment the deceased had earned an average of \$14.00 per week and contributed to his foster-parents \$15.00 per month, or about 2/7 of his earnings.

**AWARD:** \$2.00 per week for 300 weeks beginning March 31, 1919, and funeral expenses not exceeding \$100.00.

ABE REEDY

No. 1063.

vs.

UNITED STATES SPRUCE LUMBER Co., and  
FIDELITY CASUALTY Co. OF NEW YORK.  
August 11, 1919.

Permanent partial disability.

**MEMORANDUM:** Claimant suffered an injury to his foot in the course of his employment with the defendant company on the 10th of March, 1919. He was attended by the employer's physician for a time and thereafter went to his home, where he was attended by his own physician, who later amputated the injured foot.

The evidence established that the claimant's average weekly wage was \$16.00, and in accordance with sub-division 0 of section 32 he is entitled to compensation at the rate of \$8.00 per week for a period of 125 weeks from the 24th day of March, 1919.

**AWARD:** The defendants will pay to the claimant the sum of \$8.00 per week for a period of 125 weeks, beginning March 24, 1919, together with reasonable fees to the physician for his medical services in performing the amputation.

ERNEST L. POWERS

No. 476.

*vs.*

DUBLIN MANUFACTURING CO. and  
TRAVELERS INSURANCE CO.  
August 13, 1919.

Principal contractor, liability of, for  
injury to employee of sub-contractor.  
Dependency, partial.

MEMORANDUM: Ernest L. Powers was killed on March 25, 1919, while engaged in felling trees on land to which the above defendant had the timber rights. Defendants claimed that the deceased was not an employee of the Dublin Manufacturing Company and that the Dublin Manufacturing Company at the time of the accident did not have as many as eleven employees.

The Dublin Manufacturing Company had established the custom of buying timber rights on land and contracting with parties to haul and cut this timber. The deceased was working for John Goad, who was cutting timber under a contract with the Dublin Manufacturing Company, which provided that Goad should receive an agreed price per thousand feet for cutting timber, but under which he was not required to cut any specified amount, and either party could terminate the contract at will. The Dublin Manufacturing Company had more than eleven employees including men employed by contracts under a situation similar to that of Goad.

Under this set of facts, the Commission found that such employees were employees of the Dublin Manufacturing Company within the meaning of section 20 of the act.

J. S. Powers, father of the deceased, has a family of five children and claimed that he was a dependent of his son. Ernest Powers had contributed regularly toward the support of his family since he had been at work, which was necessary for the support of the family. For ten months preceding his death, the only time for which definite figures could be obtained, the deceased had earned \$252.00 and contributed \$142.00 to the support of his family. Accordingly, the claimant, J. S. Powers, was entitled to receive 142/252 of \$5.00, or \$2.80 per week for a period of 300 weeks.

AWARD: The defendant will pay to the claimant \$2.80 per week for a period of 300 weeks beginning March 25, 1919, and funeral expenses not to exceed \$100.00.

A. J. MEREDITH

No. 1253.

*vs.*

VA. IRON, COAL & COKE CO.  
*Self-Insurer.*  
August 13, 1919.

Disability, duration of.

MEMORANDUM: A letter received by the Commission from the claimant stated that he would not be present and testimony was taken for the purpose of ascertaining the facts of the case.

The claimant was injured on the 28th of April, 1919, as a result of an accident arising out of and in the course of his employment. He returned to work on the 12th of May, 1919, and received the same wage after his return as he received prior to his injury. Furthermore, he was paid full pay for April 28th, the day of his injury, which left thirteen days of disability in which he received no pay.

AWARD: Case dismissed.

OLIVER GRIZZLE

No. 609.

*vs.*

CLINCHFIELD COAL CORP.  
*Self-Insurer.*  
August 17, 1919.

Dependency, degree of.

MEMORANDUM: Oliver Grizzle received an injury on the 11th of April, 1919, which resulted in his death on the same date. At the time of his accident and for a month prior

thereto he was boarding with his aunt, Mrs. Mary Minton. Prior to the time of boarding with his aunt, he lived with his parents, some three or four miles from his place of work. J. W. Grizzle, his father and the claimant in this case, has a family of five infant children, and Oliver Grizzle contributed about one-half of his wages, which averaged \$13.13 weekly, toward the support of this family, save for the month he was boarding with his aunt, during which month he contributed little if anything toward the support of his father's family.

The Commission found that the claimant was a partial dependent upon the deceased and applying the rule laid down in section 39 of the act, he is entitled to compensation at the rate of \$3.00 per week.

**AWARD:** The defendant will pay to the claimant \$3.00 per week for 300 weeks beginning April 11, 1919, together with funeral expenses not exceeding \$100.00.

J. P. ERHART

No. 1015.

*vs.*

MISSOURI VALLEY BRIDGE & IRON Co., and  
LIBERTY MUTUAL INSURANCE Co.  
August 19, 1919.

**MEMORANDUM:** This case was heretofore heard before the Commission on June 6, 1919, and the cost of medical attention for the first thirty days and compensation during disability directed to be paid, but the case reserved to ascertain further rights of the claimant as the facts might thereafter develop. Upon the petition of the claimant it came before the full board for hearing on August 19, 1919. By the petition, it appeared that the insurance carrier agreed to pay compensation as heretofore directed up to and including August 2, 1919, and the sum of \$125.00 cash in full satisfaction of all future payments to the claimant.

Upon mature consideration, the Commission believes that since the claimant is a resident of California and would be benefited by returning to his home associations and physicians, that the agreement would be fair and equitable.

**AWARD:** The defendant will pay to the claimant, in addition to \$10.00 per week from February 2, 1919, to August 2, 1919, the sum of \$125.00, together with the cost of medical attention arising out of the injury for the first thirty days.

W. B. JORDAN

No. 1802.

*vs.*

RICHMOND CEDAR WORKS and  
LIBERTY MUTUAL INSURANCE Co.  
August 28, 1919.

Assault arising out of employment.

**MEMORANDUM:** The claimant was a machine operator for the defendant at the time of the injury complained of. A helper was furnished to him whose business it was to deliver pieces of wood to his machine. The helper became negligent and refused to perform his work properly. Claimant reported him to the foreman, who ordered him to obey the instructions of the claimant, which for a time he did. Later the helper again became negligent and used abusive language toward the claimant, attacked him with a knife and stabbed him several times. The claimant was incapacitated for seven weeks and his average weekly wage was \$19.00. The defendants contended that the injury was a result of a personal altercation and that they were accordingly not liable.

The Commission found that while personal altercations as a general rule are not accidents within the meaning of the act, there are exceptions to the rule. The attack resulted from an effort by the claimant to have his helper do his work in a manner beneficial to the

interests of the defendant and an injury from such an attack is, according to the weight of authority, a compensable injury.

**AWARD:** The defendants will pay to the claimant the sum of \$9.00 per week for a period of five weeks, beginning June 19, 1919, and medical, surgical and hospital expenses for a period of thirty days after the accident.

**CHARLES A. MEGINLEY**

**No. 1760.**

*vs.*

**RICHMOND COLD STORAGE Co., and  
MARYLAND CASUALTY Co.  
August 26, 1919.**

**Arising out of employment.**

**MEMORANDUM:** From the evidence taken in the case it appeared that the claimant, while in the employ of the defendant, strained himself with the result that he suffered from inguinal hernia. The accident occurred on February 1, 1919. It appeared suddenly, was accompanied by pain and the claimant had not theretofore suffered from hernia. He remained at home the two following days, one of which was Sunday, and returned to work on February 4th and continued thereat until March 11th. At that time he reported his condition to his employer, who sent him to a hospital, not realizing that the injury was one that had arisen out of his employment. He returned to work on April 12th. It would appear that the defendant had actual, though not formal, notice of the accident and the defendant did not claim by way of defense that his rights had been prejudiced by failure to receive statutory notice.

**AWARD:** \$10.00 per week beginning March 25 and to continue to April 12, 1919.

**J. R. SAPS**

**No. 1694.**

*vs.*

**VA. BRIDGE AND IRON Co., and  
FIDELITY AND CASUALTY Co.  
August 27, 1919.**

**Proof, burden of. Notice, failure to give.**

**MEMORANDUM:** The claimant, on February 7, 1919, fell and injured his knee while in the employ of the defendant. He went to his time-keeper, who gave him some first aid treatment. The injury appears to have been very minor in its nature, as the claimant returned to work and remained in the employ of the defendant company for some time thereafter. He was then discharged. He later went to work for other parties for whom he worked quite regularly. He did not complain of his injury until after his discharge, nor did he seek medical attention from the defendant. The Commission found that the claimant failed to maintain the burden of proof that there was an accident which arose out of and in the course of his employment with the defendant which caused the alleged disability. The Commission also found that he did not give his employer notice of the alleged accident within the time required by law.

**AWARD:** Claim dismissed.

**HARRISON GRIFFIN**

**No. 1708.**

*vs.*

**UNITED STATES SHIPBUILDING Co., and  
TRAVELERS INSURANCE Co.  
September 8, 1919.**

**Admiralty, concurrent jurisdiction with. Election of remedies.**

**MEMORANDUM:** The claimant while in the employ of the defendant suffered an accident on May 8, 1919, which arose out of and in the course of his employment. On May

23, 1919, he executed a statement electing to pursue his rights in admiralty rather than under the State compensation law. On the same date he signed a release for the sum of \$70.00 in full satisfaction of all claims against the defendant. There appeared to be no fundamental defect in the above two instruments. The claimant later filed application before the Commission in which it was set up that the release was procured by fraud. From evidence taken there appeared to have been no fraud in the procurement of the release and accordingly the question to be decided was whether or not he was bound by his election to avail himself of the admiralty jurisdiction. An act of Congress approved on October 6, 1917, amended the United States statute so as to give claimants rights and remedies under the workmen's compensation laws of the various States as well as in admiralty. This claimant duly elected to pursue his rights in admiralty and he was bound by his election. The Industrial Commission has without jurisdiction and must reject the claim.

AWARD: Claim disallowed.

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JOSHUA BAILEY

No. 722.

vs.

WYCKOFF PIPING AND CREOSOTING Co., and Medical bill, reasonableness of  
ASSOCIATED EMPLOYERS' RECIPROCAL. charge.  
September 9, 1919.

MEMORANDUM: Claimant was seriously injured on April 9, 1919. The only question before the Commission was that of the reasonableness of the charges made by the claimant's physician. From the evidence it appeared that immediately after the injury claimant was having severe hemorrhages and the physician considered his case a serious one. After consulting another physician, an operation was performed on April 11, in which one kidney was removed. About thirty-five visits, necessary for dressing and draining the wound, were made after the operation. The physician's charge was \$170.00 and was in the opinion of the Commission a reasonable one.

AWARD: The defendants will pay to the physician of the claimant \$170.00 for medical services rendered in addition to compensation agreed to between the parties.

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SAM GROVES, JR.,

No. 1849.

vs.

GEORGE LEARY CONSTRUCTION Co., and  
CONTRACTORS' MUTUAL LIABILITY INSURANCE Co.  
September 9, 1919.

MEMORANDUM: The claimant received an injury on May 22, 1919, which injury, it is admitted, arose out of and in the course of his employment with the defendant. Average weekly wage was about \$25.00. The insurance carrier tendered at the hearing all compensation due and agreed to continue compensation so long as the disability should last. The claimant had refused to accept compensation at the rate offered, viz., \$10.00 per week. There was no question for decision save the refusal of claimant to accept the compensation.

AWARD: The defendants will pay to the claimant \$10.00 per week beginning June 5, 1919, and continuing so long as disability shall last. The cost of summoning his own witnesses will be borne by the claimant.



BEN EBENER

No. 897.

*vs.*

POSTER BROS. and

Disability, extent of.

U. S. FIDELITY AND GUARANTY CO.

September 10, 1919.

MEMORANDUM: The claimant on February 21, 1919, suffered an injury to one finger which appeared at the time to be slight. From evidence taken it seemed that infection aggravated the injury and increased the length of disability. After a long period of correspondence in which the defendants seemed unable to reconcile the time lost with the seriousness of the injury, a hearing was had and on all the evidence the Commission awarded as follows:

AWARD: The defendants will pay to the claimant \$10.00 per week from March 7th to April 9th, inclusive, together with all costs of necessary medical, surgical and hospital expenses and supplies incident to the injury for a period not exceeding thirty day after the accident.

WILLIAM PANNELL

No. 1531.

*vs.*

LYNCHBURG COTTON MILLS and

LIBERTY MUTUAL INS. CO.

September 15, 1919.

MEMORANDUM: At the time of hearing it was found by the Commission that compensation had been paid to the injured claimant from May 1 to May 14, 1919, inclusive, and that receipt had been signed by the claimant for that amount. Upon hearing the evidence in the case it appeared that the above amount of compensation was correct and that claimant was paid in full all money due him as the result of his injury.

AWARD: The payment of \$14.86 already made by the defendant to the claimant is affirmed and claim dismissed.

W. O. ABBOTT

No. 1734.

*vs.*

HARRIS CARRIAGE Co. and

EMPLOYERS' LIABILITY INS. CORP.

September 15, 1919.

MEMORANDUM: Claimant was injured on May 27, 1919, which injury consisted of a fracture of his right arm. There was no dispute as to the liability of the employer to pay compensation to the claimant, but the claimant refused the legal rate of \$10.00 per week during disability and at the hearing agreed to accept \$250.00 in full compensation for all claim arising out of the injury. The agreement was entered into and duly approved for that sum.

GEORGE R. PERFATER

No. 2113.

*vs.*

ROANOKE RAILROAD &amp; ELECTRIC CO.

*Self-Insurer.*

September 30, 1919.

MEMORANDUM: Claimant was injured on June 6, 1919, as a result of an accident arising out of and in the course of his employment with the defendant company. The

question of the degree of disability and the amount of compensation therefor became the only issue at the hearing. It was agreed that the average weekly wage of the injured man was \$16.50, and after a consultation of the attorneys and physicians of both parties, it was agreed that the claimant was entitled to compensation for sixty weeks.

**AWARD:** The defendant will pay to the claimant the sum of \$8.25 per week for a period of sixty weeks beginning June 20, with all costs of necessary medical, surgical and hospital expenses and supplies incident to the injury for a period not exceeding thirty days, from which sum the defendants will pay to counsel for the claimant \$50.00.

# APPENDIX

## DESCRIPTION OF FORMS.

The forms here described are used to cover many different kinds of procedure. Only a few of them require constant use by employer or employee.

Form No. 1. *Workmen's Compensation Notice and Instructions to Employers and Employees.* To be posted by an employer at his place of business.

Form No. 2. *Employee's First Notice of Accident to His Employer.* This form is to be used by the employee in reporting an injury to his employer and to the Commission. It must be filed within thirty days after the accident. Notice may also be given in person or by letter.

Form No. 3. *Employer's First Report of Accident.* This form is for the purpose of furnishing the Commission with necessary information relative to an accident causing disability of more than seven days, and must be filed within ten day from date of accident. This form includes a supplementary report which is to be detached and forwarded to the Commission when the employee has returned to work.

Form No. 4. *Memorandum of Agreement as to Payment of Compensation.* This form is to be used in all injury cases when the employer and employee are able to reach a settlement and must be filed with the Commission and approved before it becomes binding.

Form No. 4-a. *Supplemental Memorandum of Agreement as to payment of Compensation.* This form is to be used when the injured employee returns to work at less wages than he was receiving before his injury. This form must also be approved by the Commission before it becomes binding.

Form No. 5. *Employee's Application for Hearing.* This form is to be used by an injured employee to apply for a hearing before the Commission.

Form No. 6. *Attending Physician's Report.* To be completed by the physician who attended the injured employee and forwarded to the Commission. Required in all cases in which disability continues for more than fourteen days.

Form No. 7. *Agreement of Employer and Employee as to Wages.* Required in cases in which there is dispute as to the average weekly wage or a discrepancy in the reports filed.

Form No. 8. *Notice of Hearing.* Used by the Commission to notify all parties concerned of the time and place of a hearing in contested cases.

Form No. 9. *Notice of Award* (Approval of Agreement). Used by the Commission to notify all parties concerned when a memorandum of agreement filed with the Commission has been approved.

Form 9-a. *Notice of Award* (Approval of Agreement with Modifications). Used by the Commission when memorandum of agreement filed with the Commission has been modified by the Commission and then approved.

Form No. 10. *Notice of Award.* Used by the Commission in notifying all parties concerned of the award made by the Commission at a hearing in contested cases.

**Form 10-a. *Notice of Award.*** Form for writing awards after a case has been heard by the Commission in contested cases.

**Form No. 11. *Special Letter.*** Used in requesting information.

**Form No. 12. *Application for a Lump Sum Award.*** This form is to be used by an employee in applying for a lump sum settlement in cases where he is entitled to a specific amount of compensation.

**Form No. 13. *Physician's Petition for Regulation of Charges for Medical Services.*** This form is to be used by a physician who has attended an injured employee and whose bill is contested for any reason.

**Form No. 14. *Notice of Insurance.*** This form is to be used by an employer or insurance company and is for the purpose of notifying the Commission that the employer has complied with the insurance requirements of the act.

**Form No. 15. *Cancellation Notice.*** This form is to be used by the employer or insurance company to notify the Commission of the cancellation of the insurance policy.

**Form No. 16. *Rejection of Provisions of the Virginia Workmen's Compensation Act (By Employer or Employee).*** This form is to be used by an employer or employee rejecting the provisions of the Virginia Workmen's Compensation Act and must be filed with the Commission. If filed by the employer, a copy must be posted in a conspicuous place in his plant. If filed by an employee, a copy must be sent to the employer in a registered letter or handed to him personally.

**Form No. 17. *Notice of Waiver of Prior Rejection of Provisions of the Virginia Workmen's Compensation Act (By Employer or Employee).*** This form is to be used by an employer or an employee who has previously filed notice of rejection of the Workmen's Compensation Act.

**Form No. 18. *Election to Adopt the Virginia Workmen's Compensation Act on the part of Employers and Employees not Otherwise Under the Act.*** To be used by an employer or employee, not otherwise under the act, who elects to adopt the Virginia Workmen's Compensation Act.

**Form No. 19. *Synopsis of Claim. Non-Fatal.*** This form is to be used in making a summary of all important information after the case has been completed.

**Form No. 20. *Employers Application for the Privilege of Paying Compensation provided in the Virginia Workmen's Compensation Act, Without Insurance.*** To be used by an employer making application for the privilege of carrying self-insurance. It must be filed with and approved by the Commission before becoming operative.

**Form No. 21. *Agreement and Undertaking of Employer Granted the Privilege of Paying Compensation Without Insuring.*** To be filled out and signed by the employer and filed with Form No. 20 before the application for self-insurance will be granted.

**Form No. 22. *Certificate of the Industrial Commission of Virginia as to Employer's Compliance with Section 68 of "The Virginia Workmen's Compensation Act," by Proof of Ability to Pay Compensation Direct.*** Used by the Commission for the purpose of certifying that the employer has complied with Section 68 of the Act and has been granted the privilege of self-insurance.

Form No. 25. *Notice of New Employee Entering Employment Where Employer Has Elected to Accept, Though not Embraced in Section 15.* To be signed by the employee and filed with the Commission when the employee accepts employment with an employer who has elected to adopt the Virginia Workmen's Compensation Act though not otherwise under the act.

Form No. 26. *Semi-Annual Report of Self-Insurer's Pay Roll.* To be used by self-insurers in reporting to the Commission the amount of semi-annual pay roll in order that the amount of their premium tax may be determined.

Form No. 27. *Examiner's Memorandum* (In cases other than death). Used by the examiner in furnishing necessary information in making up a case.

Form No. 28. *Examiner's Memorandum, Death Cases.* Same as No. 27, to be used in death cases.

Form No. 29. *Medical Report of Commission's Physician.* Used by the Commission's medical examiner in reporting on cases which have been referred to him.

Form No. 30. *Application for the Review by the Full Board of the Original Award.* To be used by the employer and employee in cases in which hearing was held before a deputy commissioner or one member of the Commission.

Form No. 31. *Record of the Proceedings of the Industrial Commission of Virginia* (Confirmation—awards, decisions, orders). This form is for the purpose of keeping a record of agreements and awards which have been made by the Commission.

Form No. 32. *Record of the Proceedings of the Industrial Commission of Virginia* (Approval of Agreement). Same as No. 31, to be used in cases in which agreements are approved.

Form No. 33. *Record of the Proceedings of the Industrial Commission of Virginia* (Not allowed). Same as No. 31, to be used in cases which are disallowed.

Form No. 34. *Notice of Death to Employer and to Commission* (By dependents or on their behalf). Same as No. 2, to be used in death cases.

Form No. 35. *Memorandum of Agreement as to Payment of Compensation and Death Benefits.* Same as No. 4, to be used in death cases.

Form No. 36. *Application for Hearing by the Dependents (Other than Widow) in Death Cases.* This form is to be used by dependent other than a widow in making application for hearing in death cases and provides for all necessary information to prove dependency.

Form No. 37. *Application for Hearing by Widow in Death Case.* Same as No. 36. To be used only by widow in making application for hearing in death cases.

Form No. 38. *Proof of Death, Affidavit of Employer.* This form is to be made out, signed and sworn to by the employer in death cases.

Form No. 39. *Proof of Death, to be Filled out by Physician Last in Attendance on Deceased.* To be filled out, signed and sworn to by the attending physician in death cases.

Form No. 40. *Proof of Death: Affidavit of an Eye-Witness.* This form must be filled out, signed and sworn to by an eye-witness of the accident in death cases.

Form No. 41. *Proof of Death—By Undertaker.* To be filled out, signed and sworn to by the undertaker in death cases. This form must also show the amount of the undertaker's bill.

Form No. 42. *Synopsis of Claim: Fatal.* Same as No. 19. To be used in death cases.

Form No. 43. *Subpoena for Witness.* To be used by the Commission in subpoenaing witnesses to appear at a hearing in contested cases.

Form No. 44. *Application by an Employer, Being a Municipality or Other Political Sub-division of the State, or a Bank or Trust Company Subject to State or Federal Supervision, for Privilege of Paying Compensation Provided in Workmen's Compensation Act, Without Insurance.* This form is to be used by a municipality or political sub-division of the State in applying for the privilege of self-insurance.

Form No. 45. *Employers' Quarterly Report of all Accidents.* To be used by the employer in keeping a record of all accidents causing disability of more than one day and filed with the Commission at the end of each quarter.

Form No. 46. *Final Settlement Receipt.* This form must be used by the employer and insurance company in making final settlement for compensation paid, date the employee returned to work and the weekly wages at which he returned.

Form No. 47. *Expense Account.* Used by members of the Commission or their employees in making out their expense account when travelling on business of the Commission.

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Second Annual Report  
*OF THE*  
Industrial Commission  
of Virginia



1920



**SECOND ANNUAL REPORT**

**OF THE**

**Industrial Commission of  
Virginia**

**REVIEWING THE ADMINISTRATION**

**OF THE**

**Virginia Workmen's Compensation Act**

**For the Year Ending September 30, 1920**



**RICHMOND:**  
**DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING**  
**1921**







## Letter of Transmittal.

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RICHMOND, VA., October 1, 1920.

To His Excellency, WESTMORELAND DAVIS,

*Governor of Virginia.*

SIR:

Pursuant to section 56, chapter 400, session laws 1918, and as amended by chapter 176, laws 1920, and effective as amended July 1, 1920, the Industrial Commission of Virginia has the honor to submit the accompanying report of the administration of the Virginia Workmen's Compensation Act for the year ending September 30, 1920.

Respectfully,

INDUSTRIAL COMMISSION OF VIRGINIA.

RICHARD F. BEIRNE, *Chairman.*

C. A. McHUGH, *Commissioner,*

C. G. KIZER, *Commissioner.*



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## Prefatory Note

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The Industrial Commission of Virginia was created by section 52 of the Virginia workman's compensation law. This law, which was provided for in section 56, chapter 400, session laws of 1918, became effective January 1, 1919. Section 52 became effective October 1, 1918, on which date the Industrial Commission of Virginia began its work of preparation for the administration of the act, which went into effect three months later.

The act remained in force as originally enacted until July 1, 1920, when the amendments provided for by chapter 176, laws of 1920, became effective.

Under date of October 15, 1919, the Industrial Commission submitted its first annual report. This covered the first year during which the Commission had been in office and a period of nine months of actual operation of the compensation law, *i. e.*, between January 1, 1919, and October 1, 1919. This report for the succeeding year is, therefore, submitted as of the date of October 1, 1920. The report submitted for this period between October 1, 1919, and October 1, 1920, deals with nine months of the act in its original form and with three months of it as amended to take effect July 1, 1920.

As anticipated at the time the annual report of 1919 was made, there have been material increases both in the necessary expense of administration and in the volume of work falling upon the Commission during the year under consideration. The expense of operation for the first year was \$37,946.96, whereas for the second year it was \$55,811.77. This difference in the expense is due to the fact that during the entire period of the second year the work was practically normal in volume, whereas during the first year it started with nothing and had barely reached normal at the end of the period considered. That the ratio of expense to work accomplished has decreased rather than increased may be seen from the fact that during the first year there were reported to the Commission and handled by them 3,297 cases causing disability of more than seven days, whereas during the second year there were reported to the Commission and handled by them 7,139 such cases. The average cost of disposing of a case the first year was \$13.51, and the average cost in the second year was only \$7.70. During the first period only twenty-three cases were disposed of by formal hearing, whereas during the second period here reported 122 cases were so disposed of. Thus, it may be seen that the work of the Commission materially increased and that the ratio of expense was kept comparatively low. In all respects from the standpoint of administration of the law the work has progressed in an exceedingly satisfactory manner. Comment on the more important features of administration is made in greater detail in the first part of this report and a complete set of statistical tables is contained in the second part of the report, preceded by a comprehensive explanatory introduction.

## PART I—ADMINISTRATION.

### Improvements in the Law.

At the 1920 session of the General Assembly the Commission submitted certain suggestions as to much needed amendments to the workmen's compensation act which experience had demonstrated as being necessary to perfect the act. Most of these suggestions were favorably acted upon.

At the same session of the General Assembly the representatives of employees sought to have the provisions relating to compensation increased. The Commission, feeling that the interests of employers and employees would alike be subserved by endeavoring to have amendments of this character agreed to by both, arranged for a conference between the committee representing organized labor on one side and the larger employers on the other, and a conference was accordingly held at the office of the Industrial Commission, in the city of Richmond, during the session of the legislature.

At this conference, which was characterized by mutual forbearance and broad vision, an agreement was reached as to increased compensation that was mutually satisfactory to both employers and employees. In this way all antagonism was obviated and the results of the conference were reported to the legislature and adopted without opposition. The most notable changes in the law thus effected were:

1. Increase in the maximum weekly compensation from \$10.00 to \$12.00 per week; the maximum compensation in cases of total permanent disability was increased from \$4,000.00 to \$4,500.00, and the maximum amount to be paid in death cases was advanced from \$3,000.00 to \$3,600.00.

2. Waiting period was reduced from fourteen days to *ten days* from the date of injury; with a proviso that, where disability persisted for a period of more than six weeks, compensation would run from the date of injury.

3. That medical attendance and hospital service should be allowed the injured workman for a period of *sixty days* instead of *thirty days* as originally provided.

4. Section 32 of the act was amended so as to insure the same compensation to an injured workman for the permanent *loss of the use* of a member as was originally provided for the loss of such member.

Experience had demonstrated that very frequently a workman would suffer a complete ankylosis or stiffening of an arm, leg or hand, and could not, under the provisions of the original act, be compensated therefor. This was one of the most important amendments that was suggested by the Commission.

5. Paragraph (q) of section 32 was amended so as to allow compensation for permanent *loss of vision of the eye*, either total or partial.

6. Section 65 of the act was amended so as to authorize the commission, or its deputies, to compel the attendance of witnesses at hearings authorized by the Commission. This amendment has in operation greatly strengthened the orderly administration of its work.

7. Section 75 was amended so as to reduce the premium tax chargeable against premiums, and from which tax the maintenance fund of the Commission is derived, from 4% to 3%.

This amendment was experimental in its nature, and we have not yet had sufficient opportunity to judge its practical working, nor to ascertain whether the amount realized at the reduced charge will be sufficient to defray operating expenses of the Commission, together with the annual appropriation for rehabilitation work heretofore noted.

8. Section 12 was amended so as to secure to the employer or his insurance carrier the right of subrogation where the injuries of the employee were due to the tortious act of a third person, and enabling the employer to sue at common law, either in his own name or in the name of the injured employee. The amount realized from said action to be first applied to the reimbursement for compensation paid to the injured workman and for the expenses incident to suit, and the residue to be turned over to the injured workman, or, in case of his death, to his dependents.

This amendment was based upon considerations of manifest justice, and similar provisions are found in almost all of the compensation laws in progressive States.

### **Decisions of the Commission.**

In the first annual report, that for 1919, a syllabus of each case heard by the Commission during its first year of existence was included, giving the names of the claimants, employers, insurance carriers, points in dispute, decisions of the Commission and the awards when made.

This plan, however, was inadequate and failed to give persons the information they desired. Accordingly, it has been decided to publish in full the decisions of the Commission, devoting one volume to the decisions of each year. These volumes will contain, in addition to the Commission's opinions, all decisions rendered on appeals and a digest of the law contained in each volume. Thus, there will be built up and made available for all, at a moderate price, a complete history of all litigation under the Virginia Workmen's Compensation Act.

### **Appeals from the Commission.**

One of the principal points made by the original opponents of the Virginia Workmen's Compensation Act was that the higher courts of the State would be swamped with appeals from the decisions of the Commission. The fallacy of this argument is clearly shown by the fact that to this date not a single appeal to the Supreme Court of Appeals has been perfected, and from the best obtainable advices only fifteen to twenty cases have been appealed to circuit or corporation courts. In these appeals to circuit or corporation courts the Commission was upheld in all but three cases.

During the year ending September 30, 1920, 7,245 cases were adjudicated by the Commission. Of this number only 122 cases necessitated hearings by the Commission, and from the awards in these cases only from fifteen to twenty appeals were taken. Under the rules prescribed by the Supreme Court of Appeals, it is an easy matter to appeal from an award of the Commission, and the act requires that the judge of the circuit or corporation court shall hear and determine the case within thirty days after the granting of the appeal if the court is in session, or if the court be not in session within thirty days after the beginning of the ensuing term. In view of this fact the few appeals from the awards of the Commission seem to indicate a general satisfaction with the administration of the act.

### **Rehabilitation and Vocational Training.**

The needs of an employee permanently injured in a manner to incapacitate him for his regular trade or occupation are by no means met by the compensation he receives. The truth of this fact was sharply impressed upon the public mind by the condition of soldiers disabled in the war. Congress decided that it was not sufficient that soldiers get the benefits of their insurance, but that active steps toward fitting them for engaging in a gainful occupation should be taken. This condition growing out of the war was acute and recognition of it led to a realization that the same condition, though chronic, exists in industry. National legislation was, therefore, proposed for the purpose of extending aid to the States in the work of rehabilitation of industrial cripples. Anticipating action by Congress, the Industrial Commission of Virginia submitted to the 1920 session of the General Assembly a vocational rehabilitation act which had been carefully drafted by the Commission. This was enacted into law. It provides for the creation of a bureau, whose duty it shall be to provide for the training of industrial cripples who, by reason of accidental injuries, have become unable to follow the trades in which they were trained. All such cases will be examined into with a view to ascertaining the aptitude and capacity of the permanently disabled and educating them in new callings suited to their tastes and ability. For instance, those who have become permanently blind will be taught occupations of a character that experience has shown can be performed by the blind; carpenters, ship-builders, stevedores and other skilled workmen who have suffered the loss of a leg or arm will be taught some new occupation which their previous education or aptitude makes them suitable to perform.

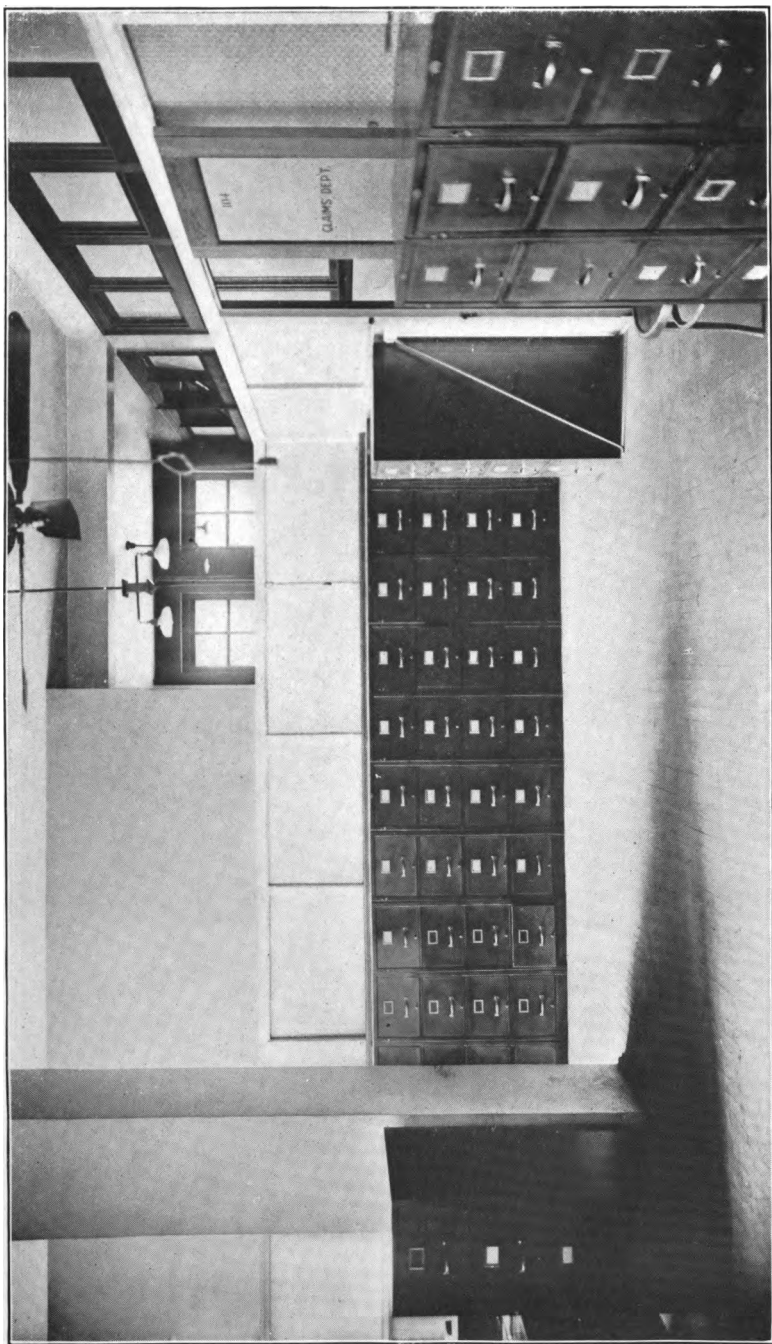
The Commission was authorized, out of the surplus revenues remaining in the "maintenance fund" of the Industrial Commission, to appropriate the sum of \$10,000.00 for the year 1920, and a like sum annually thereafter if the same was available for the purpose. The initial appropriation of \$10,000.00 has been paid into the hands of the State Treasurer, and the bureau is about to be organized. The Federal bill was passed in June, 1920, and, subject to certain limitations, provides for appropriations which may be drawn upon in amounts equal to sums appropriated and used by the States for this work. The funds appropriated under the Federal act are directed to be controlled by the State Board of Education.

The Industrial Commission is conferring with the State Board of Education with a view to formulating a plan whereby the two funds, State and Federal, may be co-ordinated.

### **Accident Prevention.**

The foregoing provisions for the rehabilitation of injured employees are not only humane but also economical. It will remove many injured persons from the status of charges on the public to that of self-sustaining wage earners. It is, however, mending a rent in the fabric that perhaps need not have been so large. To prevent the occurrence of accidents is far more humane and economical than to repair as far as possible the damage done by them.

The workmen's compensation law in the first clause of its title is designated as "an act to prevent industrial accidents." The subject of accident prevention is, however, confined to the title. With the possible exception



*By a thorough filing and card index system the Commission is enabled, upon application, to furnish the complete record of any accident in thirty seconds.*



of section 75 (a), where rates may be modified in accordance with a plan of experienced rating, there is no mention of accident prevention.

Industrial accidents have taken their place as one of the recognized items in the cost of production. By the compilation of such statistics as are herein presented this cost is brought graphically before the employer and forms part of a campaign for prevention of accidents. It has been clearly shown in other States that accidents can be considerably reduced by the employers, and when they experience the realization that such accidents, whether directly, when they are acting as self-insurers, or indirectly, when the accidents are covered by insurance carriers, add materially to their cost of production, a marked incentive is given them to co-operate in the work of reducing accidents. This, combined with the humanitarian and social aspects of the question, is accomplishing great good in Virginia's industrial world. While it is true that the financial saving of safety methods results in active accident prevention work by most of the large employers, this consideration fails to impress a great many, and, even where it does, such safety measures as are taken are subject to the imperfections and immaturity of individual ideas as to what is necessary. Whatever is done is largely voluntary, and in many cases comes only after some dangerous machine or method has proved costly by causing injuries.

### **Familiarizing the Working Man with the Act.**

During the first year that the workmen's compensation law was in operation in Virginia its objects and the benefits derived therefrom were not generally known, and, it is believed, that the increase in claims has been due more to the education of the public in the nature of the act than to an increase in accidents. The Commission is indebted to the newspapers of the State for considerable publicity in connection with the act, and this, more than any other factor, has aided in the education of the public, more especially the working man, along the lines so indicated. In addition, the Commission has from time to time prepared bulletins which have been mailed out to both employers and employees. In these bulletins directions were given as to how to proceed under the act when an accident had occurred. These went into detail, explaining the necessity for the waiting period, what to do in case of failure to agree, how to settle death claims, how to settle claims by agreement, how hearings are conducted, and suggestions offered for improvements in methods followed.

### **Better Relationship Apparent.**

Another valuable feature which has become apparent under the operation of the workmen's compensation law in Virginia is the marked improvement in the attitude of both employers towards employees and employees towards employers. A much healthier relationship appears to exist than existed when damages were paid for injuries after lengthy and, at times, far from amicable suits at common law.

The acceptance of the workmen's compensation law under its optional feature by nearly all the employers of the State, so defined under the act, and the hearty co-operation that they have given to the Commission in the adjustment of claims have tended to impress the working man with the fact that there is no lack of disposition on the part of his employer to pay him,



or have him paid, fair compensation for his injuries. Whereas, when the matter was left to the argument of paid attorneys and the uncertain decisions of juries, hatred and malice were frequently the fruits of that now obsolete system.

### **Lump Sum Settlements.**

The act, section 45, provides for the settlement of claims in a lump sum, subject to the approval of the Commission, after weekly payments have continued for a period of not less than twenty-six weeks, provided the employer or insurer is willing to settle in that manner and provided it will be to the best interests of the injured employee or the dependents of a deceased employee.

The Commission has taken the view that lump sums are, generally speaking, unwise, and will not approve them where any considerable sum is involved unless it can be shown conclusively that it will be to the best interests of those claiming them. In arriving at a decision in these cases the Commission scrutinizes very closely the purposes for which the money is to be used, the ability of the beneficiary to use it and the amount and permanence of the benefit to be derived. This policy has resulted in the approval of comparatively few lump sum applications. The great majority of lump sums go for the purchase of property, and these purchases are safeguarded by requiring certificates as to the title and value of the property and seeing that the money is actually used for the purpose claimed.

There are now scattered over the State no less than fifteen homes and small farms, purchased with lump sum settlements, either free from debt or with very small liens to cover deferred payments, where live the widows and children of deceased workmen or physically handicapped workmen. These families, with the pressing and inevitable item of rent removed, will be able to live with a fair degree of comfort and freedom from want.

### **Saving Accomplished by the Act.**

One of the strongest arguments in favor of a workmen's compensation act is the tremendous saving to the State, as well as to the litigants, and the public generally. During the year ending September 30, 1920, 7,245 cases were adjudicated by the Industrial Commission of Virginia, and the awards issued thereon aggregated \$720,674.40, exclusive of the costs of necessary medical and surgical attention. The total cost of administering the act, including salaries of the Commissioners and other officers, traveling expenses, clerical force in Richmond, office rent, and all incidental expense, amounted to \$55,811.77. It will be seen, therefore, that this large number of cases was satisfactorily adjusted and the injured employees paid compensation for their injuries at an average cost of \$7.70 a case. By comparing this with the costs of suits for damages under the old common law the saving in the cost of litigation to the State and to the parties concerned will be readily seen. This feature alone would seem to be sufficient to overcome all objections to the act.

Probably a still greater indirect saving to the State and to the public has resulted from the workmen's compensation act. Under the common law doctrine of liability, only fifteen per cent of the employees injured in the course of their employment were able to recover damages in court, and then only after long and expensive litigation. The result was that many injured work-

men and their families became dependent upon the public and charitable associations and institutions of the State during the disability of the wage earner of the family. Under the workmen's compensation act practically all injured employees receive compensation during disability, and no longer become subjects of charity or burdens upon the State. It is impossible to estimate accurately the indirect saving to the State and public due to the workmen's compensation act, to say nothing of the value of the increase in the morale and self-respect of employees resulting from their economic independence.

### Income and Expenditure.

The act, section 75 (c), as amended at the 1920 session of the General Assembly, to become effective July 1, 1920, reduced the tax rate upon premiums from four per cent to three per cent. This was deemed justifiable after a careful survey of the future requirements of the Commission compared with its probable income. The rate at which premiums are to be taxed for the maintenance of the Commission is, however, still in the experimental stage, since the future requirements of the Commission are by no means certain and sure. Many things may affect the amount of money so realized. For example, effective October 1, 1920, the premium rates have undergone a general revision downward of from twenty to twenty-five per cent, and there is already being felt a serious industrial depression that will certainly materially decrease the payroll on which premiums are computed. The uncertainty of the effect of these factors on premiums and premium taxes and the chance of other unforeseen factors entering into the situation cause some doubt as to the amount of the future income of the Commission. It is not, however, contemplated that there will be a serious shortage in funds.

Following is a statement of the receipts and expenditures of the Commission for the year ending September 30, 1920:

#### RECEIPTS

Balance on hand October 1, 1919.....	\$24,433 84
Received during year ending September 30, 1920.....	57,872 67
	<hr/>
	\$82,306 51

#### EXPENDITURES

##### EXPENSES OF OPERATION

##### A. Personal Service:

Commissioners .....	\$11,009 88
Secretary .....	2,350 00
Claims examiners and statistician.....	4,549 83
Medical examiners .....	1,390 00
Deputy to special agents .....	1,975 00
Stenographers .....	9,880 14
Clerks .....	4,605 19
Special payments .....	697 51
	<hr/>
	36,547 55

## A. Personal Service:

Traveling .....	\$ 4,673 82
Transportation .....	11 72
Postage .....	1,500 00
Telephone and telegraph .....	569 52
Printing .....	1,641 28

8,396 34

## C. Supplies:

Office supplies .....	\$ 1,421 04
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1,421 04

## CAPITAL OUTLAYS

## E. Equipment:

Furniture and filing cases.....	\$ 3,576 70
Typewriters .....	463 25
Books .....	305 13
Addressograph, dictagraph and mineograph.....	722 00
Other office equipment .....	1,861 21

6,988 29

## G. Fixed Charges:

Rent .....	\$ 2,204 53
Insurance .....	22 86
Dues to National Association and subscriptions....	217 00
Returned premiums .....	14 16

2,458 55

Total .....	\$55,811 77
-------------	-------------

In making the foregoing expenditures the Commission has been governed primarily by considerations of efficiency. The policy adopted at the outset was to maintain an active administration of the law. Throughout the United States the various compensation commissions may be readily grouped into two classes: Those that are active in the enforcement of their laws and those that are passive. The latter class can, and, no doubt, does function at a smaller cost than the former; but it is believed that such a policy is poor economy and one calculated to defeat the purposes of workmen's compensation acts and to throw them into disrepute.

A rather large but necessary item of expense is the cost of traveling. Under the terms of the act hearings must be held in the counties where accidents occur. To conduct a hearing it is necessary for at least one commissioner and a court reporter to go to the proper county. This item will of necessity increase with time as an increase in the number of hearings is inevitable until the act has been in operation at least three years, by which time, other things being equal, the number of hearings may be expected to reach its normal level.

Salaries, as always, constitute the most considerable item of expense. It is believed, however, that this item is entirely reasonable, and even small, for it has been the very definite policy of the Commission to maintain as few employees as is possible for the proper performance of the work; and as a corollary is the policy to pay salaries as large as is consistent with the duties to be performed and the funds available. Thus is created a situation where all employees are kept busy and at the same time are reasonably well paid. Experience has demonstrated that these policies create a cheerfulness and contentment among the members of the office force that is highly desirable, and reduce to a minimum the present day evil of employment turnover.

## PART II—STATISTICS.

### Statistical Machinery.

In line with the economic policy of the Commission, whereby a sincere effort is being made to give the best service possible to the taxpayers of the State at the least possible cost, is the method of compiling the statistical data so essential to a proper and efficient administration of the act. Invariably it has been the plan of the Commission to employ upon a strictly non-political basis the smallest number of highly efficient employees, rather than a large number of inefficient ones on a purely political basis. Therefore the Commission early in its history made a study of statistical machinery with a view to avoiding a large number of clerks, too busy at various times of the year to be efficient under any conditions and at other times with practically nothing at all to do. Most conspicuous in this plan are the statistical machines which, under the operation of one young woman, do the work of twenty clerks, and do it in a far more accurate manner. The workmen's compensation act, section 56, requires the tabulation and publication of reported accidents in such form as the Commission may deem best. At the outset the Commission decided that the tabulation of accidents would not serve any beneficial purpose unless it be done in a comprehensive and thorough manner. To do this work manually would require the services of from ten to fifteen clerks for several months each year. Such a system is inaccurate and subject to limitations. The Commission, accordingly, early in 1919 decided to adopt a mechanical system of assorting and tabulating the accident records for the purpose of compiling statistics for publication. Through the courtesy of the United States Employee's Compensation Commission and the Tabulating Machine Company, makers of the Hollerith machines, arrangements were made to use, for the 1919 annual report, the machines of the above company in the offices of the United States Commission in Washington.

The satisfactory results obtained led to a decision to install one unit of the same machines in the Richmond offices of this Commission. This was done in August, 1920. These machines are obtained at a monthly rental of \$65.00, a negligible cost compared with that of doing the same work with clerical help.

A unit of the Hollerith machines consists of card punch, sorter and tabulator. The information to be compiled is expressed in numerical code form and the numbers are punched on cards, each card representing the complete record of one accident. The cards can be arranged into any desired grouping by means of the sorter and when thus arranged can be run through the tabulator, which records any information relative to each group that may be desired. Thus can be found the number of accidents that occurred in a given industry, in each county of the State, to persons of any given age, or to any other classification. Not only can the number of accidents be learned but also their causes, their cost in money and in time lost, the nature of the injury resulting and so on for many kinds of information.

The tables published in this report illustrate the scope of the work that may be done with these machines. To have compiled these without the use of machines would have entailed the employment of a large number of extra clerks for several months at a cost of many times the annual rental of the machines. In addition to their economy the machines are accurate, and the cards, once they are punched, make a permanent, concise record of the accidents. From these cards any additional information that may be desired can be drawn at any time.

### **Geographical Distribution of Accidents.**

Accidents follow industry. The finished product of every manufacturing establishment and the output of every mine in the State take their toll from the workers who produce them. It is a toll of injury and death. It varies in amount with the hazard of the industries and in density with the distribution of industries over the State. Virginia is dotted with evidence of it.

An attempt has been made to give a graphic conception of the distribution of these injuries over the State for the year ending September 30, 1920, on the accompanying map. Even one year's experience, shown by one dot for each ten accidents, and one dot for less than ten accidents where counties did not have that many, densely shades certain areas. A glance at the map makes it very easy to detect the heavy mining operations in Wise, Tazewell and Russell counties, with the less frequent occurrence of injuries from lumbering and logging in other counties of the Southwest. Coming east, it is not difficult to locate Roanoke and Lynchburg with the usual urban centralization of industry. Down below Lynchburg the effects of cotton and tobacco manufacturing in the neighborhood of Danville become evident, while, over in the East, Richmond, with its diversified industries, casts a dark shadow over a large portion of the two counties of Henrico and Chesterfield. Down on the seaboard Newport News, Norfolk and Portsmouth may be recognized by the shadows they cast over the counties of Warwick and Norfolk. The building and loading of ships swell the total of accidents in these places.

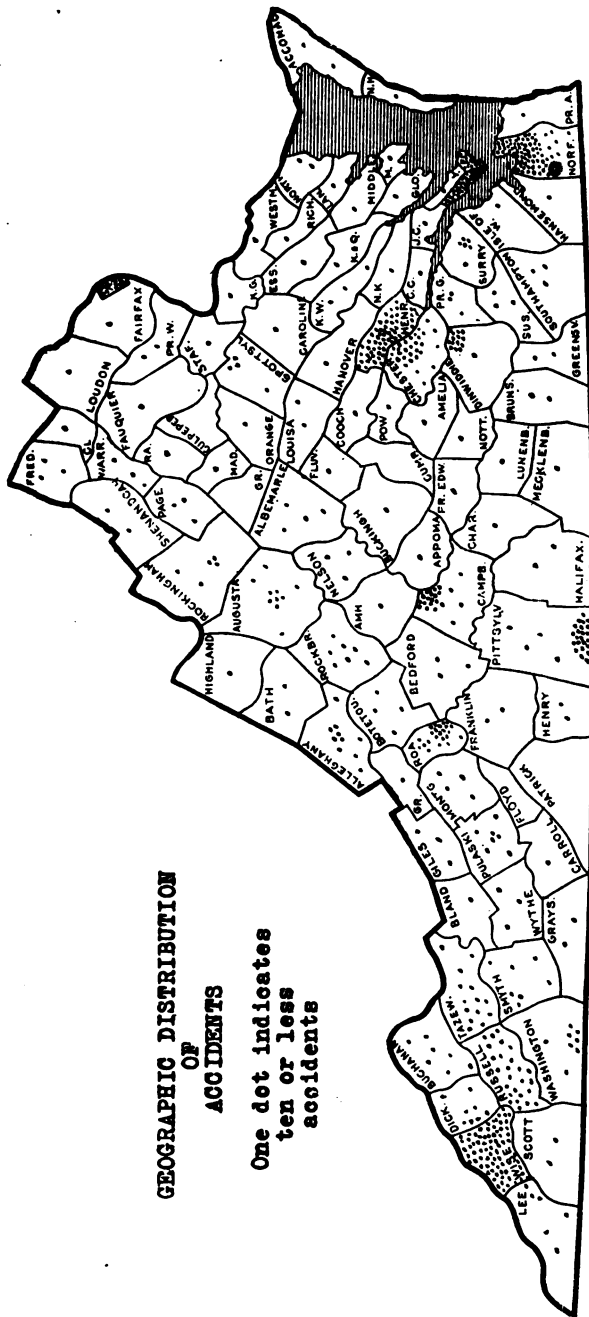
Away from these thickly dotted areas may be seen the counties where industry consists mostly of farming, which is exempt from the act, and of small operations, owners of which are not required to comply with the law; and in a few counties there is not evidence of any injuries having been reported during the year under consideration.

### **Introduction to Statistical Tables.**

Statistics is a subject from which most people turn before examining it because it is generally reputed to be dry and uninteresting. To one who takes the trouble to read the story behind the figures, however, it is not only not dry, but also the source of a wealth of interesting information.

The report of the Industrial Commission of Virginia, as required by the statute, necessarily consists largely of statistics showing the number and kinds of accidents and the disposition of the claims for compensation that arose out of them. Every effort has been made to produce a series of tables that will be of interest and which, at the same time, will not lack any of their practical value.

The cases covered in this report are those which the Commission, from October 1, 1919, to September 30, 1920, inclusive, definitely disposed of. Nor-



mally, there are two general classes of compensation from the standpoint of awards made by the Commission: Those for which compensation is awarded during disability and those for which compensation is awarded for a specific or definite period of time. In the latter class of awards will be found those compensating for specific injuries scheduled under section 32 of the act and those awarding compensation to dependents in death cases. As soon as a specific award is made liability has been determined, and a statistical record can be made from the case. In the cases where awards are made during the disability of the injured person no definite information can be obtained until the disability has ended and the case has been closed. Therefore, the accidents which are tabulated in this report are only those on which definite information is obtainable, as above explained. This may not be the exact number of accidents reported to the Commission during the period covered by the report, but it is a very close indication of the number actually reported since the incomplete cases of the previous year going into this report compensate for the incomplete cases of this year which will go over into the next report. It has been definitely decided that it is wiser to deal only with completed cases and thus publish tables made up entirely of accurate details, rather than to inject into the tables estimates of the valuation of incomplete cases and thus throw into the mass of statistics a source of possible error that may cause inaccuracy throughout the whole.

During the year ending September 30, 1920, there were reported to the Commission 7,139 accidents which caused disability of more than seven days. This does not include the accidents which caused disability of from one to seven days, inclusive, and which are not required by the act to be reported. However, a very accurate estimate of the number of these disabilities can be obtained by computation with the aid of the American Table for the Distribution of Accidents, using as a basis the accidents actually reported. This computation gives 5,184 as the number of accidents that caused disabilities of from one to seven days, inclusive, during the year.

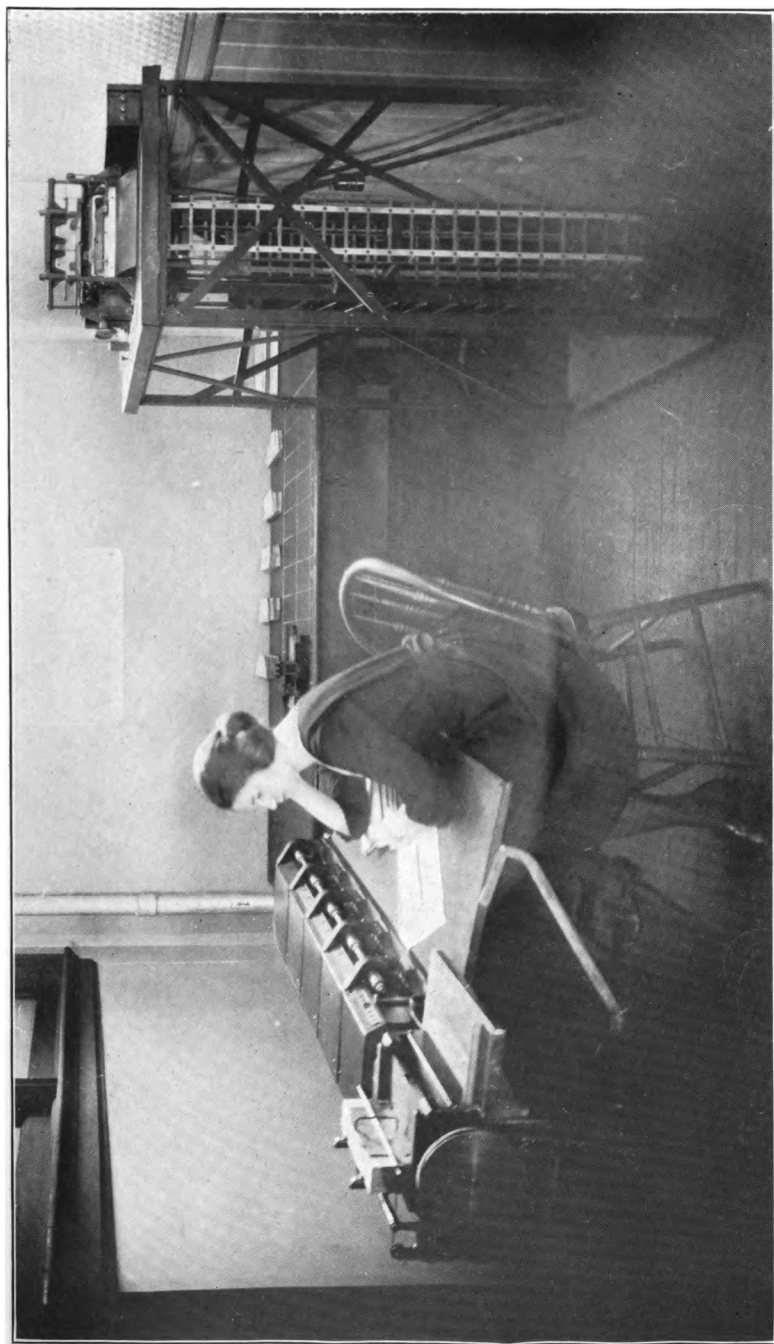
The following table shows the number of accidents estimated and reported and the disposition made of those that were reported as required by the act:

Estimated number of accidents causing disabilities of from one to seven days, inclusive .....	5,184
Accidents reported during the year (disabilities of more than seven days) .....	7,139
Total for the year.....	12,323*

On September 30, 1919, there were 492 cases left pending unsettled which were not included in the report as of that date and which with the 7,139 reported accidents made a total of 7,531 cases to be handled in the year under consideration. These cases were disposed of as follows:

Specific awards in permanent disabilities and fatal cases.....	630
Disability cases closed after payment of proper compensation and cases closed without payment of compensation where disability did not exceed the waiting period .....	5,834

\*The Commission in its report for the first nine months of 1919 reported that there had been a total of 10,920 accidents of all kinds in the State, but that figure was excessive because it was based on data furnished by quarterly reports, which experience had demonstrated to be inaccurate.



*These tabulating machines compiled all of the statistics in this report. Under one young woman they do the work of twenty clerks.*





Cases disallowed .....	289
Cases left pending, most of which are unsettled because they occurred only a short while before the end of the year and have not matured..	878

7,531

Of the foregoing cases 122 were settled after a hearing before the Commission, and in twenty-seven cases lump sum settlements were made after weekly payments had continued for a period of at least twenty-six weeks.

Reference to Table No. 1 will show that the Commission approved the final settlements in 5,834 cases of temporary total disability, causing a loss of 197,804 man-days for which compensation amounting to \$168,472.15 was paid. This sum of money, as well as other reference to compensation appearing in this report, does not include the medical, surgical and hospital attention and supplies given under the act. The same table will show that awards were made in 457 cases of permanent partial disability, awarding compensation over an aggregate period of 155,366 days, amounting to \$203,761.89. Awards were made in 172 fatal cases for the sum of \$328,590.00, in addition to funeral expenses of \$16,473.30. In the second part of the same table is a summary of experience for the first nine months of 1919 comparing item by item the classes of disability for that period with the period here under consideration.

Probably a better idea of the fatalities that have occurred can be gathered by a consideration of the entire period that the act has been in operation, namely, from January 1, 1919, to September 30, 1920, inclusive. During that period there have been 316 deaths reported to the Commission. Of these 260 have been disposed of by allowing or disallowing compensation, while fifty-six remain pending. The large percentage of pending fatal cases is due to the fact that in practically all of the cases where no dependents can be located it is necessary to hold them open for one year and thus let the statutory limitation determine the question of whether or not there were any persons dependent upon the deceased employee.

In Table No. 2, the actual experience in Virginia is distributed on the basis of 100,000 accidents, so as to give a comparison with the American Table for the Distribution of Accidents. It is interesting to note the similarity of the distribution in Virginia with that in the United States as a whole. The outstanding exception is in the fatal cases, where Virginia's experience seems to run double the normal. This is due, no doubt, to the predominance of mining and probably largely to the amount of construction that was being done in the latter part of 1919.

The story behind the figures can be easily read in Table No. 4, where is shown the number of dependents left in the fatal cases and the amount of weekly awards being paid to these dependents. It will be seen that out of 172 awards by the Commission in fatal cases 117 of them were to widows, or widows and children. These 117 cases represent at least 385 total dependents who are receiving a total of \$940.10 per week. These weekly payments are continued for a period of 300 weeks from the date of the accident which caused the death of the husband and father. A glance at this table shows inequitable distribution of benefits. For example, 24 widows with no children are getting \$172.69 a week, or \$7.19 for each dependent. Whereas, 37 widows with 37 children are getting but \$272.30 per week, or only \$3.68 for each of the 74 dependents, and farther down in the table it will be seen that seven widows with 35 children, or a total of 42 dependents, are getting \$69.00 weekly,

giving only \$1.64 per week to each of the 42 dependents. This story behind the figures leaves small doubt in one's mind that there is little equity in the distribution of death benefits under the law as it is now written. Many States have met this difficulty by awarding compensation at a given rate to every widow with an addition of from ten to fifteen per cent for each dependent child.

An attempt has been made to add interest to the tables by giving in a number of them the average weekly wages earned under varying circumstances. It must be noted that the figures given are not the average rate of pay but they are the average actual weekly earnings of the classes represented. Average wages appear in Table No. 7, showing the average by ages; in Table No. 9, showing the average by industries; in Table No. 10, showing the average in different counties and cities; in Table No. 11, showing the average as reported by insurance companies and by self-insurers under the law and in Table No. 12, showing the average earned in the different occupations engaged in by workmen. It has often been said that living is higher in Norfolk than in Richmond. A glance at the figures in Table No. 10 will show that wages also are higher in Norfolk than in Richmond, being \$28.05 per week in the former and \$22.57 in the latter.

The value of statistics as a test of the operation of the law may be illustrated by two of the columns in Table No. 4, which compares the experience of insurance companies and self-insurers. It will be seen that the average wage reported by self-insurers was \$25.09 per week and by insurance companies \$24.38 per week, while the average durations of temporary total disability were 35.2 days and 33.4 days, respectively. While an irrefutable conclusion cannot be drawn it may, nevertheless, be presumed that the self-insurers have been liberal in the matter of computing average weekly wages and in the matter of hurrying injured employees back to work. This constitutes a strong defense of the principle of self-insurance where it is carefully supervised, since it can be unhesitatingly stated that the insurance companies have shown in the main an eminently fair and liberal attitude in dealing with injured employees.

In Tables Nos. 14 and 15 are compiled details that will eventually become of untold value in accident prevention and safety work as the volume of experience grows. In these tables the accidents have been tabulated according to the causes of the injuries, such causes being divided into those of a mechanical and those of a non-mechanical origin. In the table of non-mechanical injuries, not only the cause but also the manner of occurrence of the injury is shown. The same information can be obtained for mechanical injuries, but it is not published, since the number of items would be so large as to make an unwieldy table. This information, however, can be obtained upon application whenever it may become of practical value. A proper conception of the causes of injuries will be sharply contradicted by examination of these two tables, for they will disclose that machines caused only 850 temporary total disabilities, 281 permanent disabilities and 18 deaths, whereas non-mechanical causes led to 4,978 temporary total disabilities, 176 permanent partial disabilities and 154 deaths. Only in the more serious non-fatal class of disabilities have machines been to blame to the extent that it is popularly believed.

The information in these two tables can be put to great practical use in guarding against the causes of injuries and pointing out just where efforts to prevent them should be expended.

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TEMPORARY DISABILITIES			5834 Cases
PERMANENT DISABILITIES	458 Cases		\$207,139
FATALITIES	172 Cases		\$328,590

SUMMARY OF INJURIES AND COMPENSATION AWARDED  
(Table Number 1)

TABLE No. 1.  
SUMMARY OF INJURIES AND AWARDS.  
*October 1, 1919, to September 30, 1920, inclusive.*

	Number Cases	Days Duration of Disability	Awards
Temporary total disability.....	5,384	197,804	\$ 168,472 15
Permanent partial disability:			
Dismemberment.....	390	111,590	\$144,882 25
Loss of use.....	67	43,776	58,879 64
Total.....	457	155,366	\$ 203,761 89
Permanent total disability.....	1	2,800	3,377 00
Fatal cases.....	172		*328,590 00
Funeral expenses awarded.....			16,473 40
Totals.....	6,464	355,970	\$ 720,674 44

SUMMARY OF INJURIES AND AWARDS  
*For the First Nine Months of 1919, as Reported in the 1919 Annual Report.*

	Number of Cases	Days Duration of Disability	Awards
Temporary total disability.....	**2,987	76,659	\$ 52,769 74
Permanent partial disability.....	220	76,565	100,827 84
Permanent total disability.....	2	6,300	7,980 00
Fatals.....	88		*210,810 00
Funeral expenses awarded.....			8,647 10
Totals.....	3,297	159,524	\$ 381,034 68

\*Represents the face value of the awards made in all adjudicated fatal cases.

\*\*Does not include 1,625 cases causing disability of from 1 to 7 days reported in the 1919 Annual Report. These cases are omitted in order to give correct comparative figures with this report and because the number 1,625, reported in 1919, did not include all disabilities of this class.

Only three permanent total disabilities have developed during the period, though there are a number of pending unsettled cases that may develop into this class of disability after sufficient time has elapsed to reach a definite conclusion as to the result of the injuries sustained.

The fatal cases reported to the Commission from January 1, 1919, to September 30, 1920, number 316, of which 260 have been disposed of by allowing or disallowing compensation, while 56 are pending unsettled. The 260 adjudicated cases represent a total face value award of \$539,400.00 compensation, or an average of \$2,074.61 per case. However, since the majority of the 56 unsettled cases are those in which no dependents will appear, the average of \$2,074.61 per case is high. The actual average cannot be obtained accurately since a fatal case must be held open one year to await the appearance of dependents.

TABLE No. 2.

*Comparison of Virginia Experience With the American Accident Table on the Basis of 100,000 Accidents*

	Virginia Actual	Virginia Per 100,000	American Per 100,000
Temporary total:			
1 to 7 days.....	5,184*	44,502	44,844
8 to 14 days.....	1,991	17,092	17,606
14 to 21 days.....	1,051	9,022	10,916
22 to 28 days.....	711	6,104	6,246
29 to 35 days.....	556	4,773	4,342
36 to 42 days.....	377	3,236	2,671
Over 42 days.....	1,148	9,854	8,591
	11,018	94,583	95,306
Permanent partial.....	457	3,932	3,855
Permanent total.....	1	9	63
Fatal.....	172	1,476	776
	11,648	100,000	100,000

\*Computed as the expected experience according to the American Accident Table.

TABLE No. 3.

*Conjugal Condition and Sex.*  
(Non-Fatal Cases.)

Single:	
Male.....	2,163
Female.....	122
Total.....	2,285
Married:	
Male.....	3,083
Female.....	51
Total.....	3,134
Unknown:	
Male.....	395
Female.....	20
Total.....	415
Grand total.....	5,834

TABLE No. 4.  
*Conjugal Condition.*  
(Fatal Cases.)

	Cases	Weekly Award
Single, widowed or divorced:		
No dependents.....	27	
Partial dependents.....	25	\$ 133 28
• 1 child.....	2	*11 92
3 children.....	1	10 00
Total.....	55	\$ 155 20
Married, wife living:		
No children.....	24	\$ 172 69
1 child.....	37	272 30
2 children.....	21	167 84
3 children.....	8	63 44
4 children.....	12	112 83
5 children.....	7	69 00
6 or more children.....	8	82 00
Total.....	117	\$ 940 10
Grand total.....	172	\$ 1,095 30

\*One of these cases was a widow who left one dependent child. There were no other fatalities among female workers.

TABLE No. 5.  
*Immediate Cause of Death.*

CAUSE	Cases	CAUSE	Cases
General crushing.....	29	Rupture of internal organs.....	7
Broken neck.....	12	Burial in fall of earth or cave-in.....	1
Shock.....	4	Gangrene or blood poison.....	4
Hemorrhage.....	6	Thorax crushed.....	6
Sharp object penetrating abdomen.....	2	Tetanus.....	2
Fractured skull (including crushing).....	53	Cause unknown.....	2
Internal injuries (indefinite).....	8	Asphyxiation.....	5
Gun shot.....	2	Heat prostration.....	1
Electrocuted.....	9	Lung punctures.....	1
Broken back.....	5	Paralysis.....	1
Burns.....	5	Meningitis, traumatic.....	1
Drowned.....	2	Crushed pelvic region.....	1
Concussion of brain.....	3	Total.....	172



TABLE No. 6.  
*Ages and Weekly Awards in Fatal Cases.*

Age	Cases	Weekly Award	Age	Cases	Weekly Award	Age	Cases	Weekly Award
14	5	\$ 17 30	31	2	\$ 20 00	48	4	\$ 29 00
16	2	15 42	32	1	12 00	50	4	17 83
17	6	18 46	33	1	7 67	51	2	19 00
18	6	6 81	34	2	22 00	53	1	10 00
19	10	44 24	35	3	18 50	54	2	7 78
20	4	12 87	36	2	20 00	55	4	21 74
21	3	3 25	37	5	50 00	56	2	10 00
22	5	26 09	38	5	44 70	58	1	8 53
23	8	39 54	39	1		60	3	21 00
24	9	48 09	40	9	74 00	61	1	10 00
25	6	50 30	41	2	10 87	62	1	10 00
26	5	40 21	42	3	30 00	63	2	20 26
27	4	26 25	43	1	10 00	65	1	
28	4	40 90	45	1	10 00	68	1	10 00
29	1	10 00	46	2	20 00	Unknown	17	83 19
30	7	58 50	47	1	9 00	Total...	172	\$ 1,095 30

Average of known ages, 32.13 years.

TABLE No. 7.  
*Ages of Injured Workmen.*

AGE	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		Average Weekly Wages
	Cases	Days Disability	Compensation	Cases	Compensation	
13	1	15	\$ 71			\$ 7 80
14	14	747	625 97	3	\$ 182 50	11 42
15	22	744	401 67	2	1,007 50	13 64
16	98	2,934	1,850 07	14	4,492 76	15 28
17	157	5,016	3,566 34	20	5,941 44	16 84
18	215	5,280	3,377 77	23	8,811 57	19 60
19	211	5,471	3,623 15	14	3,526 96	21 30
20	217	7,164	6,162 89	16	8,980 22	22 17
21	225	7,656	6,407 31	23	8,947 80	23 63
22	204	6,052	4,743 61	22	10,286 97	23 52
23	196	4,504	2,871 98	19	7,857 70	23 89
24	211	6,156	5,014 72	21	9,964 16	26 22
25	201	6,453	5,506 50	15	6,962 83	24 87
26	156	5,577	4,582 30	7	3,625 00	24 78
27	127	3,426	2,513 72	7	4,690 04	25 28
28	177	6,247	5,848 39	8	4,098 04	25 89
29	114	3,578	2,967 19	4	3,506 76	25 14
30	179	5,617	4,517 95	10	2,470 61	26 25
31	61	1,450	920 04	6	906 95	28 15
32	120	4,019	3,518 06	10	2,690 50	26 44
33	89	3,104	2,825 66	11	5,066 65	27 69
34	111	3,461	2,893 18	11	3,491 41	28 33
35	196	6,469	5,589 66	17	7,166 12	27 07
36	119	4,431	3,828 50	8	4,037 45	26 48
37	120	4,033	4,698 71	12	7,070 30	27 28
38	150	4,486	3,888 15	12	5,377 19	26 60
39	86	2,908	2,511 66	5	1,562 50	26 02
40	198	7,504	6,945 41	13	9,347 00	25 05
41	45	1,546	1,331 91	7	5,943 75	25 98
42	84	3,257	3,066 60	6	3,587 97	29 10
43	49	1,926	1,803 32	4	4,255 00	28 02
44	48	1,686	1,557 94	14	7,001 74	24 45
45	139	4,276	3,292 29			25 87
46	70	3,020	2,937 65	6	1,477 50	24 51
47	72	2,501	2,235 86	5	1,965 00	26 43
48	92	3,278	3,110 50	6	3,730 67	27 70
49	68	3,724	3,743 53	2	330 00	25 28
50	120	4,971	4,563 05	6	2,254 00	24 99
51	38	1,766	1,752 85	4	1,634 10	25 65
52	50	2,891	3,229 06	6	3,737 50	25 21
53	32	1,271	1,185 47	1	150 00	24 78
54	33	1,230	1,059 74	1	650 00	24 19
55	58	3,201	3,414 38	1	74 20	25 73
56	24	736	546 73	3	90 43	27 62
57	18	1,119	1,214 60	2	430 00	24 36
58	29	1,186	1,057 99	2	855 00	23 93
59	23	978	921 32	3	2,295 00	25 27
60	50	2,486	2,198 08	4	1,346 89	23 02
61	11	658	711 12	2	339 25	23 20
62	14	390	290 49			25 28
63	11	347	282 00	2	825 00	23 35
64	13	505	466 29			23 03
65	15	652	589 24			22 38
66	12	590	524 00	1	240 00	21 07
67	5	178	129 58	1	1,260 00	22 84
68	9	432	358 79			23 33
69	4	352	418 44	2	644 29	32 23
70	7	501	563 76			21 14
71	4	114	86 12			20 08
72	4	197	198 96	1	1,489 25	41 98
73	1	25	10 61			13 50
74	4	188	196 91			21 33
75	2	98	95 14			13 50
76	3	43	4 60			16 66
77	1	10				25 50
Unknown	597	20,003	17,121 96	32	15,086 42	24 53
Totals..	5,834	197,804	\$ 168,472 15	457	\$ 203,761 89	\$ 24 57

TABLE No. 8.  
*Duration of Temporary Total Disabilities.*

	Cases	Days Disability	Compensation
8 days.....	212	1,696	
9 days.....	269	2,421	
10 days.....	373	3,730	
11 days.....	241	2,651	\$ 65 92
12 days.....	245	2,940	130 91
13 days.....	227	2,951	195 72
14 days.....	424	5,936	304 69
1 to 2 weeks.....	1,991	22,325	\$ * 697 14
2 to 3 weeks.....	1,051	19,168	7,584 33
3 to 4 weeks.....	711	17,967	11,848 97
4 to 5 weeks.....	556	17,972	14,681 44
5 to 6 weeks.....	377	14,893	13,591 30
6 to 7 weeks.....	238	11,084	10,411 83
7 to 8 weeks.....	197	10,566	10,744 89
8 to 9 weeks.....	137	8,270	8,788 07
9 to 10 weeks.....	98	6,603	7,317 63
10 to 11 weeks.....	57	4,223	4,511 08
11 to 12 weeks.....	57	4,665	5,238 37
12 to 13 weeks.....	41	3,636	4,129 32
13 to 14 weeks.....	42	4,023	4,592 70
14 to 15 weeks.....	33	3,380	3,932 06
15 to 16 weeks.....	29	3,185	3,603 97
16 to 17 weeks.....	21	2,473	2,980 38
17 to 18 weeks.....	25	3,103	3,699 98
18 to 19 weeks.....	15	1,960	2,344 97
19 to 20 weeks.....	11	1,523	1,935 99
20 to 21 weeks.....	10	1,435	1,616 73
21 to 22 weeks.....	9	1,362	1,738 35
22 to 23 weeks.....	11	1,734	2,158 10
23 to 24 weeks.....	7	1,157	1,419 40
24 to 25 weeks.....	10	1,725	2,075 01
25 to 26 weeks.....	5	901	1,069 87
26 to 27 weeks.....	8	1,494	1,962 11
27 to 28 weeks.....	3	581	755 78
28 to 29 weeks.....	7	1,406	1,701 72
29 to 30 weeks.....	7	1,456	1,934 17
30 to 31 weeks.....	2	434	565 50
31 to 32 weeks.....	6	1,333	1,676 56
32 to 33 weeks.....	3	680	781 13
33 to 34 weeks.....	3	712	917 54
34 to 35 weeks.....	2	490	507 00
35 to 36 weeks.....	5	1,244	1,406 51
Over 36 weeks.....	49	18,641	23,552 25
Totals.....	5,834	197,804	\$ 168,472 15

\*The small amount of compensation awarded for disabilities which did not last more than 14 days is due to the fact that until July 1st, the waiting period was 14 days and thereafter 10 days, thus leaving only three months during which compensation was paid for disabilities of over 10 days and less than 15 days.

TABLE No. 9.  
*Experience by Industrial Groups.*

INDUSTRY	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES			FATAL CASES		Average Weekly Wages
	Cases	Days Disability	Compensation	Cases	Days Awarded	Compensation	Cases	Weekly Award	
AGRICULTURE									
General farming.....	8	396	\$ 420 52	1	59	\$ 87 50			\$ 20 40
Fruit growing.....	5	95	36 33						14 48
Total.....	13	491	\$ 456 85	1	59	\$ 87 50			\$ 18 12
MINING AND QUARRYING									
Coal mining.....	1,077	37,667	\$ 33,296 25	47	21,154	\$ 30,066 28	50	\$ 332 14	\$ 26 50
All other mining.....	55	1,680	1,276 51	3	967	1,285 00	1	2 50	24 08
Quarrying.....	47	1,882	1,523 97	3	2,170	2,974 00	11	85 17	23 70
Total.....	1,179	41,029	\$ 36,066 73	53	24,291	\$ 34,325 28	62	\$ 419 81	\$ 26 28
MANUFACTURING									
Stone products.....	56	1,368	\$ 866 17	8	2,389	\$ 2,833 50			\$ 20 51
Clay products.....	44	1,204	882 13	2	980	1,087 50			21 81
Glass products.....	15	587	527 34						19 40
Reduction and smelting.....	98	2,816	2,328 29	4	1,422	1,998 33	1	\$ 10 00	22 52
Steel works.....	56	2,710	2,931 63	6	2,354	3,362 91	5	5 00	27 89
Foundries and furnaces.....	215	5,957	4,509 65	13	3,949	5,573 25	5	12 38	23 87
Sheet metal work.....	66	2,163	1,791 84	10	2,369	2,912 27	1	2 00	20 87
Boiler works.....	7	293	234 78	1	434	600 00			33 06
Machine shops, n. o. c.....	28	745	529 56	4	799	1,225 00	2	20 00	31 83
Locomotive works.....	46	1,240	999 21	3	969	1,415 00	1	10 00	26 35
Other machinery.....	13	383	256 48	4	552	768 62	1	10 00	23 91
Vehicles.....	28	804	600 93	3	998	1,334 45	1	6 00	23 68
Logging.....	158	6,141	5,615 23	7	1,530	1,969 25	5	26 39	21 49
Wood cutting.....	28	1,317	1,288 06	2	287	387 47			25 83
Saw and stave mills.....	369	13,141	10,967 48	52	18,943	24,250 27	8	39 76	21 24
Excelsior.....	7	1,263	181 61	2	665	591 60			20 60
Veneer.....	15	675	647 85	9	1,462	1,920 06			21 08
Planing mills.....	62	2,342	2,018 41	13	3,700	4,355 50			21 17
Sash, door and blind.....	6	120	72 14	2	347	482 50			23 65
Boxes (including shooks).....	102	3,681	2,720 76	19	4,554	4,811 63	1	7 50	17 45
Trunk and bag.....	9	513	449 68	1	621	887 50			20 88
Furniture.....	23	627	399 91	10	2,457	3,355 17	3	22 28	20 58
Woodenware.....	73	1,859	1,197 30	13	3,497	4,246 30			21 10
All other wood products.....	31	1,888	667 66	2	315	355 00			21 56

Table No. 9—Experience by Industrial Groups—Continued.

INDUSTRY	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES			FATAL CASES		Average Weekly Wages
	Cases	Days Disability	Compensation	Cases	Days Awarded	Compensation	Cases	Weekly Award	
<b>MANUFACTURING—Continued</b>									
Leather products.....	130	4,441	\$ 3,644 68	13	5,789	\$ 6,936 76	3	\$ 25 50	21 18
Rubber products.....	1	51	52 86						25 00
Chemical products.....	190	6,720	5,939 68	14	5,162	7,105 30	8	46 07	23 48
Paper and paper products.....	69	2,156	1,734 39	10	3,151	4,536 20			21 59
Printing and publishing.....	36	964	633 26	3	1,540	1,300 00			24 95
Textiles.....	174	4,508	3,034 17	21	7,250	9,657 14	1	10 00	22 16
Clothing.....	55	1,484	756 01	2	1,120	975 00	1	7 50	19 66
Food, beverages and tobacco.....	371	10,964	7,254 87	39	13,273	16,383 10	3	10 00	20 86
Miscellaneous products.....	7	232	210 68						21 37
Total.....	2,588	83,357	\$ 65,944 70	292	92,878	\$117,596 58	46	\$ 270 36	\$ 20 08
<b>CONSTRUCTION</b>									
Construction, n. o. c.....	367	14,520	\$ 14,061 65	16	9,968	\$ 12,704 10	14	\$ 89 14	\$ 29 95
Wrecking and moving.....	41	2,298	2,536 00	5	932	1,260 00	1		29 93
Grading and excavating.....	66	1,728	1,234 36	4	2,430	3,447 09	2	10 00	24 77
Building construction.....	136	5,175	4,873 96	6	2,099	3,000 00	3	15 71	28 59
Other erecting.....	47	2,049	2,076 61	8	1,665	2,362 50	2	16 30	25 51
Shipbuilding.....	283	9,893	8,950 04	25	8,402	12,846 15	5	27 20	29 35
Finishing and equipping.....	79	2,016	1,465 76	3	1,736	2,248 80	2	15 00	28 84
Total.....	1,019	37,679	\$ 35,198 38	67	27,232	\$ 37,868 64	29	\$ 173 35	\$ 28 96
<b>TRANSPORTATION AND PUBLIC UTILITIES</b>									
Longing and other steam roads.....	3	57	\$ 24 97						24 00
Electric railways.....	172	5,631	5,031 51	3	371	\$ 426 91	1	8 90	27 27
Transfer and warehousing.....	197	5,923	4,932 71	7	1,402	\$ 1,954 11	4	19 00	25 83
Stockyards.....	3	141	144 29						34 76
Stevedoring and boats.....	158	6,314	6,177 31	7	3,101	4,369 29	3	20 00	29 31
Other public utilities.....	67	2,698	3,065 91	1	52	42 45	5	17 83	25 68
Total.....	600	20,764	\$ 19,376 70	18	4,926	\$ 6,792 76	20	\$ 115 34	\$ 27 21
<b>TRADE</b>									
Stores and markets.....	153	5,002	\$ 3,647 98	5	782	\$ 772 50	4	\$ 20 00	\$ 19 81
Yards.....	83	2,752	2,308 39	8	1,913	2,623 88	2	16 44	19 96
Outside salesmen and agents.....	7	453	576 64				1	10 00	27 57
Miscellaneous trade.....	96	2,902	2,138 93	5	1,196	1,593 45			24 35
Total.....	339	11,109	\$ 8,671 94	18	3,891	\$ 4,989 83	7	\$ 46 44	\$ 21 35

SERVICE	34	929	\$	510 82	5	1,754	\$	1,638 80	1		\$	16 25	
	To dwellings and hotels, etc.	11	521		507 77	1	122		175 00			27 25	
	To places of amusement	11	651		538 04	2	213		287 50			26 53	
	Professional	14	1,274		1,170 22					7	\$	70 00	
	Municipal	37										23 86	
	96	3,375	\$	2,728 85	8	2,089	\$	2,101 30	8		\$	21 94	
Total													
Grand total	5,834	197,804	\$168,472 15	457	155,366	\$203,761 89			172	\$	1,095 30	\$	24 57

\*The classification of the various kinds of construction cannot be determined accurately because of the fact that reports of accidents occurring in construction work rarely describe the nature of the work being done, hence a large number of injuries are necessarily grouped under construction, *o. c.*

TABLE No. 10.  
Experience by Geographic Locations.

COUNTIES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES		Average Weekly Wages
	Cases	Days Disabil- ity	Compensa- tion	Cases	Compensa- tion	Cases	Weekly Award	
Accomac.....	18	627	\$ 482 18	.....	.....	1	\$ 5 00	\$ 25 18
Albemarle.....	6	144	111 13	2	\$ 973 00	1	10 00	18 90
Alleghany.....	94	2,959	2,464 04	4	3,036 00	1	10 00	22 22
Amelia.....	3	97	56 87	.....	.....	.....	.....	15 17
Amherst.....	3	106	86 14	.....	.....	.....	.....	18 00
Appomattox.....	2	147	158 68	.....	.....	.....	.....	34 00
Arlington.....	7	151	129 10	3	2,878 40	.....	.....	22 50
Augusta.....	72	2,617	2,152 53	10	4,138 87	.....	.....	19 07
Bath.....	12	360	266 82	3	781 35	1	5 00	20 46
Bedford.....	21	481	302 70	2	1,078 78	.....	.....	21 08
Bland.....	4	389	481 44	1	150 00	.....	.....	22 00
Botetourt.....	33	1,020	821 48	6	3,635 63	6	45 67	20 19
Brunswick.....	12	668	599 15	1	937 50	1	10 00	18 40
Buchanan.....	55	1,836	1,583 86	1	84 27	.....	.....	22 24
Buckingham.....	3	124	97 50	1	650 00	.....	.....	21 33
Campbell.....	29	595	267 74	3	1,204 80	1	10 00	22 75
Caroline.....	5	212	169 34	.....	.....	.....	.....	18 10
Carroll.....	3	142	134 45	.....	.....	.....	.....	18 23
Charles City.....	4	93	54 00	.....	.....	.....	.....	18 50
Charlotte.....	3	40	26 36	.....	.....	.....	.....	18 00
Chesterfield.....	17	236	237 14	.....	.....	1	.....	19 46
Clarke.....	4	52	8 70	.....	.....	.....	.....	16 17
Craig.....	1	25	15 72	.....	.....	.....	.....	24 00
Dickenson.....	76	3,074	2,944 49	2	1,450 00	1	10 00	29 03
Dinwiddie.....	7	336	237 14	2	1,600 00	1	10 00	20 50
Elizabeth City.....	20	924	962 59	2	1,080 00	2	20 00	27 82
Essex.....	2	199	183 22	.....	.....	.....	.....	15 00
Fairfax.....	5	269	472 75	.....	.....	.....	.....	24 12
Fauquier.....	7	325	292 31	2	1,600 00	.....	.....	16 67
Fluvanna.....	2	50	29 14	.....	.....	.....	.....	25 00
Franklin.....	13	465	353 81	2	956 25	.....	.....	18 75
Frederick.....	28	695	531 67	7	2,773 75	.....	.....	22 30
Giles.....	23	666	468 74	.....	.....	2	15 50	19 64
Gloucester.....	1	35	28 57	.....	.....	.....	.....	19 50
Goochland.....	4	94	71 71	.....	.....	.....	.....	26 23
Grayson.....	14	365	192 66	2	285 00	.....	.....	18 46
Greensville.....	16	616	448 02	3	1,297 25	.....	.....	16 61
Halifax.....	14	366	267 52	1	350 00	.....	.....	21 86
Hanover.....	3	46	15 74	1	210 00	.....	.....	25 70
Henrico.....	3	82	108 45	1	221 00	1	7 78	24 75
Henry.....	20	717	577 63	7	2,760 25	2	14 50	20 93
Highland.....	3	69	37 10	.....	.....	.....	.....	25 15
Isle of Wight.....	10	177	60 63	2	1,437 50	.....	.....	19 08
James City.....	11	646	611 36	.....	.....	.....	.....	19 45
King and Queen.....	2	74	65 72	1	1,000 00	.....	.....	26 50
King George.....	1	42	24 28	1	925 00	.....	.....	22 50
King William.....	27	1,193	1,132 03	2	283 50	.....	.....	25 77
Lancaster.....	6	387	415 15	1	175 00	.....	.....	22 96
Lee.....	56	1,592	1,220 38	3	1,030 00	3	21 42	26 47
Loudon.....	1	10	.....	.....	.....	.....	.....	9 00
Louisa.....	14	771	683 13	1	90 00	.....	.....	21 75
Lunenburg.....	1	56	63 20	.....	.....	1	.....	15 80
Madison.....	2	59	48 43	.....	.....	.....	.....	21 00
Mathews.....	1	103	115 71	.....	.....	.....	.....	18 00
Mecklenburg.....	6	261	321 34	2	863 75	.....	.....	23 33
Middlesex.....	.....	.....	.....	1	500 00	.....	.....	.....
Montgomery.....	35	1,069	846 54	8	1,835 43	1	10 00	21 34
Nansemond.....	4	69	33 10	.....	.....	.....	.....	17 52
Nelson.....	21	637	430 21	1	112 80	1	.....	24 49
New Kent.....	6	271	229 21	1	210 00	.....	.....	18 13
Norfolk.....	71	1,666	453 86	4	1,918 69	4	10 87	25 92
Northampton.....	7	168	98 56	1	620 20	1	.....	18 11
Northumberland.....	12	650	630 93	.....	.....	.....	.....	21 23
Nottoway.....	2	56	52 39	.....	.....	.....	.....	18 75
Orange.....	7	219	197 43	1	100 00	.....	.....	25 93
Page.....	29	1,248	1,125 72	2	427 50	1	7 80	18 91
Pittsylvania.....	24	718	492 68	5	750 26	.....	.....	22 28
Powhatan.....	5	142	87 00	2	322 50	.....	.....	17 30
Prince Edward.....	10	477	439 17	1	350 00	.....	.....	23 06

Table No. 10.—Experience by Geographic Location—Continued.

COUNTIES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES		Average Weekly Wages
	Cases	Days Disabil- ity	Compensa- tion	Cases	Compensa- tion	Cases	Weekly Award	
Prince George.....	30	1,072	\$ 972 90	4	\$ 1,670 00	2		\$ 27 92
Princess Anne.....	4	53	11 72					28 98
Prince William.....	15	1,109	1,292 05					33 36
Pulaski.....	65	2,571	2,402 72	3	450 63			25 55
Rappahannock.....	5	283	313 39					20 15
Richmond.....	3	98	55 68					14 10
Roanoke.....	28	2,933	647 27	2	1,966 91	1	\$ 3 50	22 54
Rockbridge.....	68	2,292	2,043 59	5	609 12	3	16 50	20 69
Rockingham.....	26	528	262 24	3	1,522 50			21 22
Russell.....	250	10,550	10,322 08	10	3,735 43	11	78 54	25 48
Scott.....	15	661	659 85					22 13
Shenandoah.....	11	455	377 36					20 92
Smyth.....	64	1,905	1,510 89	10	5,101 95	2	11 75	22 98
Southampton.....	28	1,336	1,247 76	6	2,642 72	2	10 00	20 10
Spotsylvania.....	5	59	3 72	1	150 00			16 37
Stafford.....	4	119	80 01					23 45
Surry.....	8	522	504 09	1	75 00	1	8 90	19 69
Sussex.....	27	938	684 41	4	1,842 50	1	8 29	18 65
Tazewell.....	131	4,640	4,193 39	6	4,620 00	13	76 32	25 82
Warren.....	17	478	331 02					21 20
Warwick.....	13	1,019	1,197 94	2	1,200 00	2	2 80	25 75
Washington.....	56	1,629	1,338 24	3	2,280 50	1	2 50	20 57
Westmoreland.....	1	70	72 00					18 00
Wise.....	697	23,404	21,814 85	36	23,199 47	27	196 86	26 27
Wythe.....	22	854	743 76	3	1,809 29			18 02
York.....	9	757	920 92					26 83
Outside State or county unknown.....	22	985	975 63	1	350 00	3	18 60	30 21
Totals for coun- ties.....	2,648	95,717	\$ 82,102 09	210	\$100,199 35	103	\$ 658 10	
PRINCIPAL CITIES								
Alexandria.....	101	3,250	\$ 2,795 50	3	\$ 1,598 00	1	\$ 3 33	\$ 28 32
Bristol.....	54	2,204	1,750 49	4	1,557 19	1	10 26	19 36
Charlottesville.....	26	1,022	868 05	1	625 00			23 16
Danville.....	283	7,278	5,486 05	16	6,243 88			26 74
Fredericksburg.....	19	473	282 09	1	381 60	2	20 00	16 89
Hampton.....	39	1,579	1,481 59	3	887 50	1	10 00	30 62
Harrisonburg.....	16	425	293 66					21 06
Lynchburg.....	204	6,340	4,946 39	11	4,406 26	2	8 60	21 94
Newport News.....	327	11,310	9,959 56	26	13,028 25	10	78 87	28 71
Norfolk.....	689	23,820	20,937 34	54	28,411 55	20	109 70	28 05
Petersburg.....	102	3,071	2,262 82	14	4,820 16	2	20 00	21 05
Portsmouth.....	94	3,606	3,449 02	13	5,647 77	5	22 98	27 42
Richmond.....	965	28,124	20,853 07	72	25,431 87	15	91 50	22 57
Roanoke.....	203	7,368	9,377 85	20	8,769 06	8	54 46	24 09
Staunton.....	18	809	655 88	1	123 75	1		18 94
Suffolk.....	46	1,408	970 70	8	1,530 70	1	7 50	21 06
Totals for above cities.....	3,186	102,087	\$ 86,370 06	247	\$103,562 54	69	\$ 437 20	
Totals for the State.....	5,834	197,804	\$168,472 15	457	\$203,761 89	172	\$1,095 30	\$ 24 57



TABLE No. 11.  
*Experience of Insurance Companies and Self-Insurers*

INSURER	TEMPORARY TOTAL DISABILITIES					PERMANENT PAR-TIAL DISABILITIES		FATAL CASES		Per Cent
	Cases	Per Cent	Average Weekly Wages	Days Disability	Average Days	Compensation	Cases	Compensation	Total Award	
Self-insurers.....	1,568	26.87	\$ 25.09	55,203	35.2	\$ 49,939.74	94	\$ 47,784.28	*63 \$126,212.00	\$223,936.02
Insurance companies.....	4,263	73.08	24.38	142,537	33.4	118,495.41	362	155,477.61	109 203,304.00	477,277.02
Not insured.....	3	.05	20.00	64	21.3	37.00	1	500.00	1 2,451.00	2,988.00
Totals.....	5,834	100.00	\$ 24.57	197,804	33.9	\$108,472.15	457	\$203,761.89	*173 \$331,967.00	\$704,201.04

\*Includes 1 permanent total disability, award \$3,377.00.

This table does not include funeral expenses amounting to \$16,473.40 or medical costs the amount of which is unknown.

*Average Wage in Principal Occupations.\**

OCCUPATION	Average Weekly Wage	OCCUPATION	Average Weekly Wage
Anglesmith.....	\$ 26 08	Linemen, telephone.....	\$ 27 51
Auto repairer.....	28 30	Lithotyper.....	32 16
Axeman.....	21 12	Loader (coal).....	27 29
Blacksmith.....	30 06	Logger.....	21 28
Boilermaker.....	31 89	Machine operator, n. o. c.....	23 15
Brakeman (mine cars).....	22 78	Machine operator, food products.....	24 00
Bricklayer.....	46 68	Machine operator, metal (sheet).....	24 99
Bridge carpenter.....	40 10	Machine operator, mining.....	31 39
Calkers, Chippers (metal).....	34 60	Machine operator, tobacco.....	19 33
Carpenters.....	32 62	Machine operator, textile.....	21 37
Clerks.....	22 49	Machine operator, wood.....	21 07
Coke-puller.....	23 80	Machinist, general.....	31 73
Concrete worker.....	39 33	Millmen.....	29 67
Cooks (dishwashers, etc.).....	18 36	Miners.....	28 51
Conductors, electric.....	28 81	Molders, n. o. c.....	29 90
Cutters, paper, cloth.....	30 78	Molders, casting.....	32 41
Chaffeurs.....	21 98	Molders, pourers.....	27 00
Deckhands.....	22 85	Motormen.....	27 11
Drillers.....	30 95	Oilers.....	24 65
Drivers (including in mines).....	22 11	Packers.....	18 41
Electrician.....	30 53	Painter.....	31 87
Elevator operator.....	12 04	Pile driver.....	31 23
Engineer (locomotive, logging).....	31 45	Plumbers.....	26 02
Engineer (stationary).....	31 03	Police.....	26 76
Fireman (crane, marine, etc.).....	25 33	Porters.....	17 20
Foreman (supt., manager, etc.).....	36 26	Printers.....	34 65
Furnaceman (foundry).....	27 94	Pumpmen.....	25 56
Fisherman.....	25 18	Reamers.....	27 16
Helper, blacksmith.....	25 03	Riggers, ship.....	29 72
Helper, boilermaker.....	28 70	Riggers, crane.....	29 78
Helper, electrician.....	21 30	Riveters (bolter-up, hull).....	30 54
Helper, general.....	18 13	Salesmen, solicitors, etc.....	29 78
Helper, machinist.....	23 33	Sawyers.....	22 32
Helper, metal worker.....	22 05	Sheet metal worker.....	33 49
Helper, pipefitter.....	23 99	Shipfitters.....	28 35
Helper, plumber.....	19 56	Shipwrights.....	29 10
Helper, sheet metal worker.....	20 00	Steamfitter.....	31 26
Helper, shipfitter.....	22 54	Steel worker (tankmen).....	33 28
Helper, steel worker.....	25 72	Stevedores and longshoremen.....	31 58
Helper, woodworker.....	17 49	Tailors.....	16 71
Hod carrier.....	22 57	Teamsters.....	20 74
Holder-on.....	26 25	Tipplemen.....	22 72
Inspector.....	27 06	Trackmen.....	23 72
Ironworker.....	28 85	Timbermen (mine).....	24 07
Janitors.....	12 98	Woodworkers.....	22 38
Laborers.....	**20 39		
Laborers (skilled).....	27 94	All occupations.....	24 57
Leather worker.....	19 84		

\*It should be borne in mind that the foregoing table does not represent the weekly rate of pay for the occupations given, but the average actual earnings during one to twelve months prior to injury.

\*\*This classification covers a rather wide range and represents no particular class of labor.

The above table is the average weekly wage for some of the principal occupations in which injuries have been reported. It does not cover all occupations, but merely includes those in which a sufficient number of cases were reported to give a reliable average.

TABLE No. 13.  
Anatomical Location of Injuries.  
(Non-Fatal.)

LOCATION	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		
	Cases	Days Disabil- ity	Compen- sation	Cases	Days Awarded	Compen- sation
<b>HEAD</b>						
Brain.....	9	330	\$ 344 61			
Eye.....	118	2,802	1,805 25	61	34,595	\$ 47,586 40
Eyes, both.....	7	141	71 43			
Internal ear.....	1	56	60 00			
Internal ears, both.....	1	67	76 00			
External ear.....	8	218	106 84			
Jaw, upper.....	4	71	28 57			
Jaw, lower.....	14	725	695 23			
Teeth.....	4	87	56 85			
Skull.....	25	1,839	2,097 54			
Scalp.....	69	1,689	1,119 75			
Head, general.....	22	469	295 37			
Head, n. o. c.....	59	1,318	828 62			
Totals.....	341	9,812	\$ 7,586 06	61	34,595	\$ 47,586 40
<b>FACE</b>						
Forehead.....	48	995	\$ 573 93			
Eyelids.....	4	78	44 30			
Nose.....	22	394	229 65			
Cheek.....	10	280	234 96			
Lips, chin and mouth.....	16	326	145 79			
Face, n. o. c.....	46	868	412 87			
Neck.....	11	321	266 43			
Two or more parts, n. o. c.....	1	15	1 45			
Head, neck and face.....	26	1,021	945 52			
Neck and face.....	23	679	503 36			
Totals.....	207	4,977	\$ 3,358 26			
<b>TRUNK</b>						
Spinal cord.....	2	50	\$ 155 50			
Vertebrae, cervical.....	1	26	17 14			
Vertebrae, dorsal.....	1	17	12 00			
Vertebrae, lumbar.....	4	475	615 42			
Spinal processes.....	6	259	236 92			
Sternum.....	3	51	30 58			
Thorax, n. o. c.....	1	59	84 00			
Thorax, external, general.....	21	623	491 71			
Thorax, front.....	26	585	385 91	1	1,997	\$ 2,520 00
Thorax, rear-upper.....	26	803	678 49			
Thorax, side.....	75	1,824	1,285 84			
Lumbar region.....	288	8,737	6,880 80			
Thoracic organs.....	8	282	234 28			
Abdomen.....	37	924	648 03			
Abdominal organs.....	19	561	426 77			
Groin.....	11	406	360 40			
Sacrum and coccyx.....	2	129	144 28			
Pelvic region.....	14	337	214 07			
Pelvis, n. o. c.....	3	354	450 01			
Hernia, umbilical.....	5	280	299 30			
Hernia, inguinal.....	54	2,594	2,587 41			
Two or more parts.....	51	2,010	2,054 61			
Buttocks.....	9	369	238 25			
Sacro-iliac joint.....	5	90	59 99	1	2,177	2,819 52
Rib or ribs, n. o. c.....	78	2,118	1,573 77			
Ribs, 1 to 3.....	60	2,483	2,484 71			
Ribs, more than 3.....	6	543	605 22			
Bladder.....	1	24	24 00			
All other.....	16	336	203 29	2	759	1,076 00
Totals.....	833	27,349	\$ 23,482 80	4	4,933	\$ 6,415 52

Table No. 13—Anatomical Location of Injuries—Continued.

LOCATION	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		
	Cases	Days Disabil- ity	Compen- sation	Cases	Days Awarded	Compen- sation
<b>ARM</b>						
Scapula.....	6	220	\$ 190 71			
Clavicle.....	31	1,168	1,028 40			
Head of humerus.....	35	1,310	1,319 67			
Shoulder.....	69	1,772	1,105 41			
Upper arm.....	19	1,000	877 11			
Humerus.....	7	407	446 41			
Elbow.....	41	997	602 11			
Forearm.....	101	3,231	2,640 32	2	2,450	\$ 3,358 00
Radius.....	20	1,234	1,323 66			
Ulna.....	7	405	351 96			
Radius and ulna.....	9	483	522 14			
Wrist.....	156	7,336	7,633 59			
Arm, general.....	17	469	403 45			
Arm, n. o. c.....	129	4,685	3,847 71	5	6,952	7,781 43
Arms, or arm and hand.....	24	1,260	1,345 24			
Arm and part of leg.....	30	1,504	1,470 93	1	1,568	2,181 76
Two or more parts.....	2	211	250 18			
Totals.....	703	27,692	\$ 25,449 09	8	10,970	\$ 13,321 19
<b>HAND</b>						
Hand, n. o. c.....	253	8,085	\$ 6,314 95	9	9,454	\$ 12,590 93
Hands, both.....	16	623	592 05	1	1,218	1,740 00
Hand and foot.....	1	23	12 86			
Palm.....	77	1,653	1,005 93			
Hand, back of.....	55	1,265	798 55			
Metacarpal, one.....	9	315	269 66			
Metacarpel, more than one.....	6	446	471 00			
Thumb.....	145	3,003	2,320 01	17	5,781	7,509 19
Thumb, distal phalanx.....	28	556	264 44	20	3,168	4,318 49
Index finger.....	178	4,856	3,347 18	37	8,465	11,339 09
Index finger, distal phalanx.....	29	794	642 01	43	4,724	5,862 45
Middle finger.....	133	3,320	2,153 14	32	5,177	6,766 46
Middle finger, distal phalanx.....	36	1,096	855 05	30	2,155	2,475 55
Ring finger.....	54	1,343	865 03	22	2,226	3,017 34
Ring finger, distal phalanx.....	16	365	218 83	16	1,095	1,378 83
Little finger.....	57	1,463	999 26	17	1,612	2,001 49
Little finger, distal phalanx.....	16	408	254 20	9	580	750 95
Thumb and one finger.....	16	375	238 88	5	2,151	2,216 35
Thumb and fingers.....	9	195	107 55	3	2,588	3,575 00
Two fingers.....	149	3,813	2,540 12	28	8,658	11,015 70
Three fingers.....	46	1,297	875 23	26	11,393	15,038 85
Four fingers.....	14	618	549 88	16	9,428	11,456 24
Finger, n. o. c.....	86	1,993	1,185 37	8	878	1,146 26
Two or more parts.....	1	15	1 43			
Loss of finger and injury to others.....				4	583	761 70
Both thumbs.....				1	770	1,100 00
Fingers on both hands.....	1	24	14 29			
Loss of thumb and injury to fingers.....				1	455	650 00
Totals.....	1,431	38,544	\$ 26,896 70	345	82,559	\$ 106,710 87
<b>LEG</b>						
Hip.....	66	2,374	\$ 2,087 27			
Head of femur.....	9	745	882 55			
Thigh.....	65	2,584	2,406 08			
Femur.....	20	2,632	3,264 18			
Patella.....	9	962	1,084 97			
Knee.....	195	6,504	5,611 84	1	1,071	\$ 1,489 25
Leg.....	400	17,719	17,455 63	5	4,569	6,515 43
Tibia.....	22	1,565	1,736 31			
Fibula.....	13	996	1,153 74			
Tibia and fibula.....	24	3,685	4,395 19	2	2,100	2,533 75
Leg and foot or both legs.....	55	2,942	2,688 17			
Ankle.....	330	13,813	12,898 26	2	2,006	2,815 00
Foot, n. o. c.....	545	14,751	10,847 52	9	7,408	9,249 83
Tarsals.....	4	239	42 01			
Os Calcis.....	4	205	228 88			

Table No. 13—Anatomical Location of Injuries—Continued.

LOCATION	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		
	Cases	Days Disabil- ity	Compen- sation	Cases	Days Awarded	Compen- sation
<b>LEG—Continued</b>						
Metatarsals.....	43	2,224	\$ 2,330 91			
Sole of foot.....	65	1,098	533 38			
Top of foot, instep.....	80	1,960	1,400 09			
Both feet.....	15	772	754 76			
Heel.....	35	1,415	1,039 03	1	1,624	\$ 2,180 00
Toe, n. o. c.....	47	883	458 93	3	266	267 96
Great toe.....	115	2,849	2,038 00	7	1,340	1,915 00
Great toe, distal phalanx.....	15	377	263 59	2	308	419 29
Lesser toe.....	7	143	38 90			
Lesser toe, distal phalanx.....	1	34	29 10	1	35	60 00
Great and lesser toe.....	14	429	343 18	3	954	1,427 91
Two or more lesser toes.....	62	1,601	1,219 77	3	628	874 49
Two or more parts.....	3	279	338 57			
Malleolus.....	10	442	445 26			
<b>Totals.....</b>	<b>2,273</b>	<b>86,222</b>	<b>\$ 78,016 67</b>	<b>39</b>	<b>22,309</b>	<b>\$ 29,727 91</b>
<b>MISCELLANEOUS</b>						
Multiple locations.....	25	2,011	\$ 2,476 02			
General crushing.....	1	63	59 50			
Asphyxiation.....	2	51	31 86			
Electric shock.....	4	470	499 70			
Heat prostration.....	2	221	275 72			
Diseases.....	2	77	66 05			
Concussion (not brain).....	1	61	77 14			
All other.....	9	263	196 58			
<b>Totals.....</b>	<b>46</b>	<b>3,208</b>	<b>\$ 3,682 57</b>			
<b>Grand totals.....</b>	<b>5,834</b>	<b>197,804</b>	<b>\$168,472 15</b>	<b>457</b>	<b>155,366</b>	<b>\$ 203,761 89</b>

TABLE No. 14.

*Causes of Injuries—Mechanical.*

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compen- sation	Cases	Compen- sation	Cases	Weekly Award
<b>MOVERS AND POWER TRANSMISSION MACHINERY:</b>							
Steam engines.....	5	96	\$ 47 72	1	\$ 60 00		
Gasoline and gas engines.....	13	523	577 35	2	196 70		
Motors, electric.....	4	463	553 42	1	108 91	1	\$ 12 00
Motors, compressed air.....	2	215	224 76				
Other prime movers.....				1	1,500 00		
Shafts.....	7	415	413 86				
Collars and couplings.....	1	11					
Set screws, keys and bolts.....	1	19	7 20				
Belts and pulleys.....	27	765	543 72	3	4,091 43		
Chains and sprockets.....	3	111	83 00	2	556 33		
Ropes, cables and drums.....	2	25					
Cogs, cams, gears, etc.....	5	220	216 66	7	2,987 50		
<b>Totals.....</b>	<b>70</b>	<b>2,863</b>	<b>\$ 2,667 69</b>	<b>17</b>	<b>\$ 9,430 87</b>	<b>1</b>	<b>\$ 12 00</b>
<b>POWER WORKING MACHINERY, N. O. C.</b>							
Brick making.....	3	62	\$ 40 13	1	\$ 937 50		
Cement making.....	3	81	38 61	1	1,000 00		
Stone working.....	26	915	836 07	5	1,257 50		
<b>Totals.....</b>	<b>32</b>	<b>1,058</b>	<b>\$ 934 81</b>	<b>7</b>	<b>\$ 3,195 00</b>		
<b>METAL WORKING MACHINERY</b>							
All other.....	11	274	\$ 143 92	5	\$ 1,810 04	1	
Abrasive wheels.....	12	243	128 46	3	365 00		
Bending and straightening.....	2	31	6 38				
Cutting, threading and tapping.....	7	28	17 16	2	1,125 00		
Drills.....	3	88	12 00	2	1,175 00		
Milling and gear cutting.....	9	80	49 87			1	\$ 6 30
Hammers and forging.....	2	275	272 86	1	90 00		
Lathes.....	2	35	20 95				
Planers and shapers.....	3	263	317 54				
Portable power tools.....	19	822	827 50	5	4,000 00		
Power presses, punchers and riveters.....	6	302	318 04	7	2,666 97		
Hand or foot presses.....	1	13		1	39 38		
Rolling mills.....				1	1,500 00		
Saws.....	4	77	30 86	2	163 00		
Shears.....	1	49	23 75	1	49 69		
<b>Totals.....</b>	<b>81</b>	<b>2,578</b>	<b>\$ 2,168 86</b>	<b>30</b>	<b>\$ 13,006 08</b>	<b>2</b>	<b>\$ 6 30</b>

Table No. 14—Causes of Injuries—Mechanical—Continued.

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compen- sation	Cases	Compen- sation	Cases	Weekly Award
<b>WOOD WORKING MACHINERY</b>							
All other.....	26	605	\$ 381 19	5	\$ 671 49		
Boring machines.....	2	49	38 57				
Lathes.....	6	158	120 63	2	390 00		
Planing, matching and molding.....	47	1,666	1,386 11	35	12,487 95		
Presses.....	5	131	65 25	6	1,992 04		
Sanding machines.....	2	165	177 50				
Small saws.....	136	3,998	2,697 58	65	23,107 59	2	\$ 19 50
Lumber saw mills.....	34	1,720	1,508 06	11	5,953 00	2	5 00
Shapers.....	5	113	70 01	2	212 50		
Cooperage machines.....	3	54	29 57	4	1,577 18		
Veneer machines.....	3	134	80 00	9	2,491 74		
Excelsior machines.....	4	147	94 19	1	650 00		
Totals.....	273	8,940	\$ 6,648 66	140	\$ 49,533 49	4	\$ 24 50
<b>LEATHER MAKING AND LEATHER PRODUCTS MACHINES</b>							
Leather making.....	13	980	\$ 958 44	4	\$ 3,328 50		
Leather products.....	10	240	142 75	1	1,018 00		
Totals.....	23	1,220	\$ 1,101 19	5	\$ 4,346 50		
<b>PAPER MAKING AND PAPER PRODUCTS MACHINES</b>							
Paper making.....	14	660	\$ 584 23	1	\$ 238 50		
Paper products.....	8	233	157 70	8	2,878 70		
Printing and bookbinding.....	22	616	403 84	2	550 00		
Totals.....	44	1,509	\$ 1,145 86	11	\$ 3,667 20		
<b>TEXTILE MACHINES</b>							
All other.....	22	874	\$ 661 02	3	\$ 1,058 60		
Carding and combing.....	8	218	148 61	2	1,000 00		
Spinning.....	5	81	21 01	1	175 00		
Weaving.....	24	650	476 01	3	649 55		
Sewing.....	8	203	94 45				
Cutting and shearing.....	9	168	76 19	1	15 43		
Laundry machines.....	14	424	223 21				
Totals.....	90	2,618	\$ 1,700 50	10	\$ 2,898 58		

<b>FOOD PRODUCTS MACHINES</b>									
All other.....	5	192	\$	138 71	2	\$	62 86		
Cleaning and paring.....	1	112		94 50	1		650 00		
Milling and grinding.....	12				4		1,137 50		
Mixing.....	2	64		52 43	2		482 75		
Dough mixers.....	4	205		161 42	4		493 55		
Shaping and forming.....	4	130		96 42	4				
Cutting.....	3	60		25 58	3		608 75		
Barreling and bagging.....	3	103		87 85	3		2,439 41		
Bottling.....	33	843		516 29	8				
Tobacco.....	1	19		6 43	1				
Stamping press.....									
Totals.....	57	1,740	\$	1,179 63	24	\$	5,924 82		
<b>CHEMICAL PRODUCTS MACHINES</b>									
Acids and salts.....	2	80	\$	74 29					
Soap, oil and fertilizer.....	4	119		94 85	1	\$	199 80		
Drugs and paint.....	2	43		26 66					
Totals.....	8	242	\$	195 80	1	\$	199 80		
<b>HOISTING APPARATUS</b>									
Elevators, controlled.....	51	2,445	\$	2,168 79	3	\$	1,675 00	4	\$ 9 50
Elevators, automatic.....	5	380		234 25					
Construction hoists.....	3	144		143 00					
Mine cages.....	2	52		46 00					
Cranes, locomotive.....	4	293		364 44	1		200 00	1	5 00
Cranes, other traveling.....	18	1,785		2,198 18	2		1,550 00	2	20 00
Derricks or jib cranes.....	17	618		534 24	4		689 65	2	19 70
Wood stackers or log loaders.....	3	126		132 87					
Blocks and tackles, etc.....	24	597		386 70	7		3,239 29		
Conveyors, n. o. c.....	2	142		162 89	4		1,790 57		
Air Hoists.....	8	300		228 00	2		662 91		
Belt and chain conveyors.....	2	26		4 50					
Screw conveyors.....	2	76		87 82					
Bucket conveyors.....	7	294		284 79				1	
All other.....	16	618		577 34	2		450 00	1	
Totals.....	164	7,896	\$	7,554 81	25	\$	10,257 42	11	\$ 54 20
<b>MISCELLANEOUS</b>									
All other.....	2	25			2	\$	285 00		
Pile drivers.....	1	91	\$	138 85	1		2,520 00		
Pumps.....	9	255		213 29	4		1,600 00		
Concrete mixers.....	1	21		10 00	1		135 00		
Fans and blowers.....	9				1		350 00		
Automatic stokers.....	1				1		451 00		
Baling machines.....					1		210 00		
Unclassified.....	1	95		115 62					
Totals.....	14	487	\$	477 76	11	\$	5,531 50		
Grand totals.....	856	31,151	\$	25,775 59	281	\$	107,991 26	18	\$ 97 00



TABLE No. 15.  
Causes of Injuries—Non-Mechanical.

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compen- sation	Cases	Compen- sation	Cases	Weekly Award
<b>VEHICLES</b>							
Steam and electric cars, engines and motors							
Collisions.....	18	1,218	\$ 1,425 75			1	8 29
Derrailments.....	9	281	252 20			1	1
Falls from.....	41	1,716	1,724 00			3	13 90
Struck by, caught between or run over.....	37	2,442	2,727 28	7	\$ 4,530 50	10	66 86
Braking.....	3	63	44 86				
Objects falling from.....	2	73	59 50			1	10 00
All other.....	26	485	224 68	1	1,200 00	1	3 33
Totals.....	136	6,278	\$ 6,458 27	8	\$ 5,730 50	17	\$ 102 38
<b>Mine and quarry cars and motors</b>							
Collisions.....	11	309	\$ 238 28			2	6 59
Derrailments.....	40	1,108	932 65	1	\$ 350 00	2	9 25
Falls from.....	11	312	264 59			3	16 05
Contact with roof.....	20	670	575 53				
Contact with side-structure.....	21	884	858 89	1	90 00	2	2 22
Coupling or switching.....	64	1,468	960 26	4	1,885 00	2	16 17
Struck by or caught between, n. o. c.....	75	2,751	2,491 57	5	4,421 75	2	13 33
Braking.....	18	624	576 44	2	152 20		
Spragging.....	10	183	98 30	1	300 00		
Lifting or pushing.....	11	281	202 71	1	350 00		
Caught or struck by chain.....	3	72	56 73				
Caught by car or load (dumping).....	3	99	83 61				
Getting on or off.....	21	573	385 35	2	3,473 00	2	6 65
Totals.....	308	9,347	\$ 7,724 91	17	\$ 11,021 95	16	\$ 70 26
<b>Plant trucks</b>							
Collisions.....	1	10					
Derrailments.....	2	24					
Falls from.....	6	245	\$ 194 25			1	
Coupling or switching.....	1	16	2 86				
Struck by, n. o. c.....	12	382	268 15	1	\$ 175 00		
Lifting or pushing.....	5	56	1 47				
Dumping.....	3	94	69 41				
Getting on or off.....	6	304	295 82				
Object falling from.....	2	26	1 43				
Totals.....	38	1,157	\$ 834 39	1	\$ 175 00	1	

Automobiles and other power vehicles											
Collisions.....	11	316	\$	226	27				1	\$	10 00
Overturning.....	7	403							3		26 00
Cracking.....	64	2,335		2,091	07						
Falls from.....	19	671		712	11				3		13 00
Struck by.....	36	1,899		1,943	79				3		2 80
Object falling from.....	2	87		93	02		1	\$	45	25	10 26
Object shifting on load.....	3	97		72	86						
Caught between and other object.....	11	599		623	76				1		9 00
Getting on or off.....	4	186		146	15						
Mechanical unloading.....	2	38		32	58						
All other.....	5	120		75	90		1		175	00	
Totals.....	164	6,741	\$	6,461	46		2	\$	220	25	71 06
Animal drawn vehicles											
Collisions.....	7	141	\$	70	57						
Overturning.....	8	354		349	04						
Falls from.....	32	1,658		1,819	64				1	\$	10 00
Struck by.....	15	712		719	76						
Object falling from.....	2	20									
Object shifting on load.....	4	160		148	22						
Breaking of parts.....	6	202		173	72						
Moving logs.....	4	438		417	52						
All other.....	6	260		236	97		1	\$	100	00	
Totals.....	84	3,945	\$	3,935	44		1	\$	100	00	10 00
Water craft											
Collisions.....	2	105	\$	129	46						
Hawsers and other ropes.....	1	29		21	43						
Falls from.....	2	98		96	05						
Falls into hatchway.....	18	896		967	50				2	\$	10 00
All other.....	7	397		467	18						
Totals.....	30	1,525	\$	1,681	62				2	\$	10 00
All other vehicles											
Bicycles.....	2	80	\$	61	20						
Motorcycles.....	5	533		667	15				1	\$	10 00
All other.....	2	49		38	57						
Totals.....	9	662	\$	766	92				1	\$	10 00
Totals for vehicles.....	769	29,655	\$	27,863	01		29	\$	17,247	70	273 70
EXPLOSIVES, ELECTRICITY, FIRES AND HOT, POISONOUS AND CORROSIVE SUBSTANCES											
Boilers and other pressure apparatus.....	12	312	\$	197	55				1	\$	10 00
Boilers, escaping steam and water.....	4	147		151	47						
Boilers, all other.....											

Table No. 15—Causes of Injuries—Non-Mechanical—Continued.

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compensation	Cases	Compensation	Cases	Weekly Award
Steam pipes explosion of.....	9	327	271 27	.....	.....	.....	.....
Steam pipes, all other.....	11	259	146 37	.....	.....	1	10 00
Gauges.....	3	77	49 69	.....	.....	.....	.....
Other steam pressure apparatus.....	3	114	103 84	.....	.....	.....	.....
Totals.....	42	1,236	\$ 920 19	.....	.....	2	\$ 20 00
Explosion of explosive substances							
Transportation and handling.....	6	421	\$ 478 05	.....	.....	.....	.....
Blasting.....	29	1,452	1,693 21	1	\$ 675 00	1	.....
Dust.....	2	86	74 28	.....	.....	0	\$ 73 50
Gas.....	5	113	57 67	.....	.....	.....	.....
Gasoline, etc.....	5	92	58 03	.....	.....	1	3 87
All other.....	9	363	339 81	2	1,625 00	.....	.....
Totals.....	56	2,727	\$ 2,676 05	3	\$ 2,300 00	11	\$ 77 37
Other explosions							
High pressure apparatus, n. o. c.....	2	22	\$ 6 84	.....	.....	1	\$ 10 00
Electricity.....	35	1,205	\$ 993 30	.....	.....	9	\$ 50 82
Confagurations							
Spontaneous combustion.....	1	13	\$ 5 14	.....	.....	.....	.....
Confagurations, n. o. c.....	8	181	102 67	.....	.....	.....	.....
Totals.....	9	194	\$ 107 81	.....	.....	.....	.....
Hot substances and flames							
Hot water.....	23	546	\$ 482 54	.....	.....	1	.....
Asphalt pitch, etc.....	16	249	95 79	.....	.....	.....	.....
Other hot liquids.....	19	760	682 58	.....	.....	.....	.....
Molten metal.....	57	1,780	1,514 39	1	\$ 350 00	.....	.....
Radiant heat.....	2	20	.....	.....	.....	.....	.....
Handling hot metal.....	6	68	11 37	.....	.....	.....	.....
Hot surfaces, contact with.....	26	538	315 68	.....	.....	.....	.....
Welding and cutting devices.....	9	122	15 72	.....	.....	.....	.....
Electric current.....	2	35	25 71	.....	.....	.....	.....

Flames.....	19	405	200 98						
Flying sparks.....	1	25	20 89						
All other hot objects.....	21	532	362 60						
Totals.....	201	5,080	\$ 3,688 25	1	\$ 350 00	1			
Poisonous substances									
Ivy, oak, etc.....	2	31	\$ 10 00					3	\$ 30 00
Inhalation of gas.....	2	49	29 45					1	1 86
Monoxide gas.....	1	14							
Muratic acid.....	1	10						1	10 00
All other.....	1	10							
Totals.....	7	114	\$ 39 45					5	\$ 41 86
Corrosive substances									
Lime.....	8	155	\$ 75 17						
Cement.....	2	97	64 56						
Lye.....	1	45	45 00						
Nitric acid.....	1	21	10 00						
Sulphuric acid.....	1	51	43 61						
Caustic soda.....	5	61	15 22						
Creosote.....	1	10							
All other.....	13	323	203 54	1	\$ 250 00				
Totals.....	32	733	\$ 457 10	1	\$ 250 00				
Totals for explosives, burns, etc.....	384	11,311	\$ 8,888 99	5	\$ 2,900 00	29	\$ 200 05		
FALL OF PERSONS									
From elevations									
Benches, boxes, etc.....	20	1,008	\$ 823 66						
Bridges, docks and gangways.....	6	186	164 80						
Buildings being worked on.....	16	1,600	1,760 79					1	\$ 9 00
Cranes, derricks, etc.....	3	146	154 28	1	\$ 783 75				
Floors, temporary.....	3	159	156 48						
Ladders.....	62	2,640	2,491 45	2	3,060 00	1	10 00		
Machines and boilers.....	10	286	221 98						
Piles, stacks, etc.....	15	539	499 09					1	6 74
Poles and trees.....	14	368	413 32						
Roofs.....	10	466	416 99						
Runways, balconies and platforms.....	22	629	482 56						
Scaffolds and staging.....	88	4,608	4,979 27	2	1,961 06	5	34 20		
Stairs and steps.....	30	1,262	1,067 37						
Tramways and trestles.....	12	572	535 67						
Windows, doors, etc.....	3	78	39 61					1	9 00
Due to slipping of tool or object.....	20	818	788 82						
All other.....	33	970	779 75						
Totals.....	367	16,335	\$ 15,775 89	5	\$ 5,804 81	10	\$ 78 94		

Table No. 15—Causes of Injuries—Non-Mechanical—Continued.

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compensation	Cases	Compensation	Cases	Weekly Award
Into excavations, pits and shafts							
Bins and vats	13	1,178	\$ 1,451 43			1	\$ 3 50
Floor openings (not elevator)	18	696	618 59				
Manholes	4	82	44 24				
Mine shafts	1	297	274 39				
Excavations, n. o. c.	14	768	832 95				
Totals	50	3,021	\$ 3,219 60			1	\$ 3 50
On the level							
Shipping	146	4,543	\$ 3,706 24				
Stumbling	80	2,143	1,335 39	1	\$ 1,168 75		
Due to foot being caught	44	1,923	1,921 78	1	344 29	1	
All other	58	2,047	1,761 07				
Totals	337	10,656	\$ 8,724 48	2	\$ 1,513 04	1	
Totals for fall of persons	754	30,012	\$ 27,719 97	7	\$ 7,317 85	12	\$ 82 44
HANDLING OF OBJECTS							
Heavy objects							
Objects dropped	418	12,677	\$ 9,620 91	15	\$ 2,742 68	1	\$ 7 80
Objects thrown	13	264	164 90	1	630 00		
Objects falling from load	111	4,068	3,531 68	3	1,382 55		
Objects falling from piles	40	1,122	853 03				
Caught between object handled and other object	285	8,125	6,188 60	33	8,475 09	1	10 00
Struck in handling	204	5,924	4,615 31	1	2,819 52	1	10 00
All other	22	547	439 93				
Totals	1,093	32,797	\$ 25,414 36	53	\$ 16,069 84	3	\$ 27 80
Sharp or rough objects							
Glass	35	741	\$ 408 05	1	\$ 262 50		
Protruding nails	25	735	527 93				
Protruding wires	5	133	93 61	2	1,668 00	1	\$ 10 00
Sheet metal	23	433	219 17				
Slivers, wood	26	444	167 39			1	7 78
Slivers, metal	22	469	237 33				

[illegible]

Table No. 15—Causes of Injuries—Non-Mechanical—Continued.

CAUSES	TEMPORARY TOTAL DISABILITIES			PERMANENT PARTIAL DISABILITIES		FATAL CASES	
	Cases	Days Disability	Compensation	Cases	Compensation	Cases	Weekly Award
STEPPING ON OR STRIKING AGAINST OBJECTS							
Stepping on	161	2,839	\$ 1,345 77				
Nails and screws.....	16	497	425 57				
All other sharp objects.....							
Totals.....	177	3,336	\$ 1,771 34				
Striking against							
Nails.....	12	252	\$ 193 35	1	\$ 349 58		
Splinters or other sharp projection.....	20	541	485 04				
Struck by moving object.....	29	821	612 46				
All other.....	124	3,567	2,581 99				
Totals.....	185	5,181	\$ 3,872 84	1	\$ 349 58		
Totals for stepping on or striking against.....	362	8,517	\$ 5,644 18	1	\$ 349 58		
FALLING OBJECTS, NOT BEING HANDLED BY INJURED							
Collapse of							
Buildings and walls.....	15	579	\$ 559 98	1	\$ 1,750 00	4	\$ 35 71
Piles, stacks, etc.....	11	501	543 15			1	1 10
Scaffolds and staging.....	25	1,053	1,053 97	2	2,609 25		
All other.....	5	602	731 70				
Totals.....	56	2,735	\$ 2,888 80	3	\$ 4,359 25	5	\$ 36 81
From elevations							
Buildings.....	28	837	\$ 685 59				
Chutes, conveyors, etc.....	4	76	45 00	1	\$ 300 00	1	\$ 12 00
Machines and work benches.....	15	733	487 10	1	150 00		
Piles, stacks, etc.....	10	446	421 71				
Tramways, trestles and tipples.....	2	88	85 76				
Racks and shelves.....	2	19		1	770 00		
Runways, balconies and platforms.....	2	113	97 17				
Scaffolds and staging.....	9	230	160 28				
Temporary floors.....	2	44	34 56			1	
All other.....	13	273	166 84	2	624 72		
Totals.....	87	2,859	\$ 2,164 10	5	\$ 1,844 72	2	\$ 12 00

<b>Into excavations</b>	3	\$ 83	\$ 61 42				
Ditches or trenches.....	37	178	92 20				
Other excavations.....	9					1 \$	10 00
Cave-in of excavations.....							
Totals.....	15	298 \$	162 62			1 \$	10 00
<b>In mines and quarries</b>							
Fall of coal or rock, working face	90	4,460 \$	4,642 12	2 \$	650 00	5 \$	39 83
Fall of coal or rock, roof	180	8,921	8,823 05	2	6,015 00	21	178 55
Fall of coal or rock, walls and pillars	13	725	733 01	1	1,750 00		
Fall of coal or rock, chutes and pockets	5	191	178 13				
Fall of coal or rock, from surface into shaft	1	11	1 57	1	420 00		
Fall of coal or rock, from dumps	1	8					
Timber, not in handling.....	12	363	251 35				
Cave-in.....	1	23	12 86	1	360 00		
All other.....	11	240	131 90			1	
Totals.....	314	14,942	\$ 14,773 99	11	\$ 9,195 00	27 \$	218 38
<b>Other falling objects</b>							
Poles and rolling logs.....	27	1,244	\$ 1,250 34			2 \$	19 25
Trees and limbs.....	28	1,617	1,638 75	1	150 00	6	29 00
Objects tipping over.....	25	1,142	1,077 68				
All other.....	169	5,194	4,234 66	3	431 12	1	1 67
Totals.....	249	9,197	\$ 8,201 43	4	\$ 581 12	9 \$	49 92
<b>Totals for falling objects, not handled.</b>	721	30,031	\$ 28,190 94	23	\$ 15,980 09	44 \$	327 11
<b>MISCELLANEOUS</b>							
Flying particles, n. o. c.....	21	533	\$ 369 25	3	\$ 1,745 00		
Doors, windows, etc.....	15	698	558 51	3	297 50		
Heat prostration.....	221	275 72				1 \$	10 00
Violence of co-employee.....	10	174	128 70				
Violence of others.....	5	182	161 90			2	10 00
Horseplay, etc.....	1	51	52 86				
Voluntary shooting, etc.....	6	528	583 07			1	10 00
Accidental shooting.....							1 75
Falls due to fainting.....	3	49	18 00				
Cramped position.....	2	77	70 00				
History incomplete.....	1	9				5	5 00
Shock nervous.....	1	9					
Exposure.....	1	28	20 00				
Infection from co-employee.....	1	18	14 48				
Caught in bite of rope.....	1	10					
All other.....	1	24	14 14				
Totals for miscellaneous.....	71	2,539	\$ 2,276 72	6	\$ 2,042 50	10 \$	36 75
<b>Grand totals</b>	4,978	166,653	\$142,696 56	176	\$ 95,770 63	154 \$	998 30







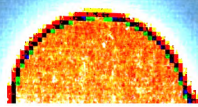




**Third Annual Report**  
*OF THE*  
**Industrial Commission  
of Virginia**



1921







**THIRD ANNUAL REPORT**

OF THE

**Industrial Commission of  
Virginia**

**REVIEWING THE ADMINISTRATION**

OF THE

**Virginia Workmen's Compensation Act**

**For the Year Ending September 30, 1921**



**RICHMOND:**  
**DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING**  
**1922**



## Letter of Transmittal

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RICHMOND, VA., *October 15, 1921.*

*To His Excellency,* WESTMORELAND DAVIS,

*Governor of the State of Virginia.*

SIR:

Pursuant to section 56 of chapter 400, session laws of 1918, the Industrial Commission of Virginia has the honor to submit the accompanying report of its administration of the Virginia Workmen's Compensation Act for the year ending September 30, 1921.

Respectfully,

• INDUSTRIAL COMMISSION OF VIRGINIA,  
C. A. McHUGH, *Chairman*,  
RICHARD F. BEIRNE,  
C. G. KIZER.

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## Introductory Statement

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In presenting this the third annual report of the Industrial Commission of Virginia, it is not deemed necessary to again advert either to the history of this legislation or the amendments which became effective at the 1920 session of the General Assembly. The former was fully discussed in the first annual report and the latter set forth in the second report. The tabulated statements which are subjoined in accordance with the provisions of section 56 of the statute will be found interesting and instructive.

We will content ourselves with presenting this statistical information, accompanied by the financial statement, together with brief explanatory statements under appropriate heads.

### Amendments Suggested

At the 1920 session of the General Assembly a number of amendments were made, the most important of which involve increases in compensation, a reduction of the waiting period from two weeks to ten days, with a retro-active provision allowing full compensation from the date of accident where the disability persisted for a period of six weeks or longer. Medical and hospital attention was extended from thirty to sixty days. The advances in compensation then made amounted to approximately 25% increase. There were certain other amendments that were suggested by the Commission itself that were intended to cure imperfections which the practical work of the Commission had discovered.

We scarcely deem this an appropriate time for suggesting any radical changes in the law. The interpretation based upon the act in two notable cases, one involving the right of appeal from the corporation or circuit courts to the Supreme Court of Appeals, and the other holding that policemen were not employees within the meaning of the act, would seem to call for remedial legislation. Our recommendations will be confined to the subjects thus presented and to such minor amendments as our experience has shown are needful to the smooth operation of the statute.

(1) The Supreme Court of Appeals, in the case of *Mann v. City of Lynchburg*, 106 S. E. 371, has held that policemen are not "employees" within the intendment of the act, but are public officers. The opinion states that if this class of official could be brought within the operation of the statute, the city and not the State would be liable for compensation.

We would recommend that section 2 of the act be amended so as to more clearly define the class of officers and employees of the State and municipalities that are intended to be included within the act, and specifically provide that policemen and firemen be brought within its benefits, and compensation awarded shall be paid by the cities and towns where their services are rendered. This class of public servant is constantly exposed to eminent danger in protecting the several communities. They are men who are wholly dependent

upon their salary for support. Indeed in the very case decided by the Supreme Court and above referred to, Mann was killed in the discharge of his duty, leaving surviving him, a family consisting of his wife and two children of tender years, and no estate.

(2) In *Richmond Cedar Works v. Harper*, the Supreme Court of Appeals has held, construing section 61 of the act, that no appeal lies from the decision of the judge of the circuit or corporation court to the Supreme Court of Appeals. We recommend that section 61 be amended so as to permit such appeal if applied for within twenty days after the entry of the order by the corporation or circuit court. Such appeal should be placed upon the privileged docket, and printing of the record should be dispensed with upon the filing of ten neatly typewritten copies of the record duly certified by the clerk of the court from which the appeal is taken.

(3) Section 45 of the act does not permit lump settlements to be made, however deserving the same appear, until a period of six months after the accident. The Commission has always exercised the discretion reposed in it by this section with the utmost caution, and permitted such settlements to be made only where there was clear and convincing proof that the best interests of the injured workman were being subserved. This limitation, for which we can perceive no satisfactory reason, often compels us to refuse such settlements to the detriment of the parties in interest. We would recommend that this section be amended by substituting six weeks for twenty-six weeks, as now provided in the act.

(4) Another amendment, necessity for which has been demonstrated by experience, is found in section 46. This section provides that a trustee for infant dependents should be appointed by the circuit or corporation court of the county or city where the accident occurred. It often happens that the trustee and the beneficiaries of a killed workman reside in other jurisdictions than that where the accident arose. In strictly following the requirements of the statute expense and delay are frequently occasioned. We would suggest that this section be amended so as to permit such trustee to be appointed by the judge of such circuit or corporation court as the Industrial Commission shall deem to be most compatible with the interests and convenience of the beneficiaries.

(5) Section 59 requires every employer to file with the Commission annually evidence of compliance with the insurance provisions of the statute. No provision is made requiring notice of cancellation to be communicated to the Commission. It is equally important that the facts causing cancellation should be immediately communicated to the Commission as the fact of initial compliance with the act. We would, therefore, recommend that this section be amended by requiring employers who have cancelled their insurance to at once notify the Commission, giving the date and reasons for such cancellation, and whether new insurance has been taken out.

(6) In amending section 39 at the 1920 session of the General Assembly the words "five hundred" were inserted where "three hundred" was manifestly intended. The statute as now written creates an incongruity and inconsistency with other sections, and we would recommend that it be amended in this respect.

**Income and Expenditures****STATEMENT OF RECEIPTS AND DISBURSEMENTS***October 1, 1920, to October 1, 1921.*

October 1, 1920—Balance with Auditor of Public Accounts .....	\$ 26,494 74
Receipts from tax on compensation insurance premiums .....	134,323 23
Total balance and receipts.....	\$ 160,817 97

**DISBURSEMENTS**

Salaries of commissioners and secretary.....	\$ 14,999 88
Salaries, examiners, statisticians, stenographers and clerks .....	24,027 58
Salary, deputy .....	2,600 00
Office expenses not elsewhere listed.....	3,311 30
Printing and stationery.....	3,437 80
Telephone and telegraph.....	616 28
Furniture and equipment.....	1,332 65
Traveling expenses .....	6,102 89
Rent of office.....	2,999 96
Total disbursements for the commission.....	\$ 59,428 34
Surplus paid to State Treasurer.....	53,800 08
Transferred to rehabilitation bureau.....	10,000 00
Total disbursements .....	123,228 42
Balance .....	\$ 37,589 55

The cost of operating this department is derived from a tax, which in the original act was placed at four per cent, on the premium collected by insurance carriers operating under this act, and a like tax upon the premium that would have been paid by self-insurers if insured. At the last session of the General Assembly the Commission recommended that this tax be reduced to three per cent, which was accordingly done by amendments which became effective July 1, 1920. In making this recommendation we felt that the tax thus imposed should be so limited as to yield a fund as nearly equal to the expense of administration as possible.

The legislature, however, in amending section 75, for the purpose indicated, further provided in paragraph (k) thereof that the Commission should annually pay into the State treasury, commencing on August 1, 1921, "all monies collected under this act over and above such amounts as are necessary to pay expenses and to pay such sums as may be otherwise appropriated by the General Assembly."

The financial statement shows that the Commission has paid to the re-

habilitation bureau the sum of \$10,000 as provided by law, and has also paid into the State treasury under the provision above recited the sum of \$53,800.08. During the preceding year, as provided in the rehabilitation act, an additional sum of \$10,000 was paid to the rehabilitation bureau, and during the year 1920 the sum of \$10,000, which, under section 77 of the act, was appropriated and loaned to the department for the purpose of putting the act into effect, was repaid the State in compliance with the requirements of the said section.

These facts are recited as showing that the entire cost of operating this department has been derived from the maintenance tax above referred to, and that in addition to the contribution of \$20,000 made to the Rehabilitation Fund the State treasury has been enriched by the payment of \$53,800.08.

We believe that the amendment referred to requiring surplus monies to be paid into the State treasury is inequitable and should not be continued.

The financial statement shows that there was collected on premiums for the year ending October 1, 1921, \$134,323.23; that the expense of operating the department for that period was \$59,428.34. We would advocate a reduction of the premium tax were it not for the fact that we are sensible that the results derived from this tax in the two last preceding years was based upon a very high wage to employees and a period of unprecedented activity in our industrial plants. We do not deem it wise at this time to make any reduction in this tax. Many of our largest industries are practically idle; many others are operating but part time and with a diminished force of workers; and wages are being generally reduced. It is difficult to hazard an estimate as to the reduction that will be caused by these factors in the maintenance fund for the ensuing year.

#### NECESSITY FOR APPROPRIATION BY STATE

The Supreme Court of Appeals in the case of *Smith v. State Highway Commission*, not yet reported, has decided that the State Highway Commission and other similar governmental boards are not "employers" within the intendment of the Workmen's Compensation Act, and that persons employed by them are "employees" of the State; that while awards should be made against the State for such employees injured in the course of their employment; that the award can only be made payable under the provisions of section 2582 of the Code when the legislature has made provision therefor.

It is therefore the manifest duty of the State to make an appropriation, setting aside a fund sufficient to pay awards that may be reasonably expected to be made against it for the next two years. There are now pending before the Commission two cases which have not yet been fully heard. The amount involved in these two cases, both against the State Highway Commission, will amount to approximately \$5,000.

The court in delivering its opinion aptly says:

"Neither the court nor the Industrial Commission can require the legislature to make an appropriation for cases of this character, but it is not to be doubted for a moment that such appropriation will be made in every case in which an order against it is made by the Commission. The State will not provide that its employees shall have the right to claim compensation under the Workmen's Compensation Act and then decline to give them any means whereby they may collect the compensation allowed them thereunder."

As to the amount of such appropriation, we would suggest that the experience of all of the large self-insurers has been that their liabilities under the act have been fully met by appropriating for this purpose a sum equal to the insurance premium that they would have had to pay, had they taken out compensation insurance. We would suggest that such a sum annually appropriated would fully and safely cover the liabilities that might reasonably be expected to occur. If each department would make a report to the Commissioner of Insurance upon the forms required by him for self-insurers and these figures were aggregated, the Commissioner of Insurance could readily supply the needed information.

The whole spirit of the act speaks in terms of prompt, but moderate compensation to the injured. By enacting the compensation statute the State has declared its public policy on the subject. While exacting strict compliance with its provisions from all of its citizens coming within the scope of its operation, it is inconceivable that the State itself would be laggard in fully meeting the requirements imposed upon itself.

### **Rehabilitation Department**

At the 1920 session of the General Assembly, Acts 1920, p. 583, a rehabilitation bureau was established, to be operated under the direct control of the Industrial Commission, and an appropriation of \$10,000 was made, the same to be paid out of surplus monies in the administrative fund of the department. The statute was drafted and enacted in the expectation that the Federal government would in the near future lend liberal aid to this character of work, and the Industrial Commission was authorized and empowered to co-operate with the United States government in work of a like or similar nature and, with the approval of the Governor, to accept the benefits of any legislation "that may hereafter be enacted by the United States government having for its end the rehabilitation and training of employees injured in the course of employment."

The Federal government shortly thereafter did make liberal appropriations to be paid to the States, but upon condition that a like sum was provided by the respective States. It however required that the funds thus appropriated should be handled by the State Board of Vocational Education. The Commission thereupon took up the matter with the State Board of Vocational Education, which is identical with the Board of Education, and after much negotiation between the two departments, and afterward with the Federal officials having control of the appropriation, an agreement was finally arrived at satisfactory to all parties concerned. It provided for the creation of a bureau for vocational rehabilitation constituted of the Governor, a member of the State Board for Vocational Education and a member of the Industrial Commission, and this bureau was empowered to administer both funds in such a way as that the provisions of each statute should be fully complied with.

This negotiation occasioned considerable delay; the agreement was not fully reached and the bureau organized until January 1, 1921, and was not equipped to begin active work until March, 1921. A director in charge of the work was appointed and a separate report will be submitted touching the work done.

The Federal statute requires that the State shall match its appropriation; that any unexpended balance not actually used shall at the end of the fiscal year be returned into the Federal treasury. The amount that will be available during 1921 from the Federal government will be about \$21,000.00; the rehabilitation act should be amended so as to provide, in lieu of the \$10,000 provision, that an amount equal to the Federal appropriation should be appropriated for this purpose out of any balance remaining in the administrative fund of the Industrial Commission and not necessary to pay the expenses of its operation.

The work contemplated by this legislation is humane and practical, it is of prime importance to the community at large that men who have suffered a handicap rendering them unfit for the occupations in which they have been trained should not become derelicts and a charge upon the community, but should be taken in hand and as far as possible educated in other remunerative and self-supporting pursuits. We are persuaded that no voice will be raised against increasing this appropriation on the part of any of the persons from whom the revenue is derived.

### **Co-Operation of Self-Insurers and Insurance Carriers**

We would be remiss in our duty if we did not here advert to the very cordial co-operation and support the Commission has received at the hands of self-insurers and the representatives of the insurance carriers. Differences of opinion necessarily arise in administering a statute of this character. When the Commission has once decided we have been met almost uniformly with a spirit of entire accord. Not infrequently the exigencies of some particular case demand that medical and hospital attention be provided far beyond the sixty days required by law. We can recall but few instances in which a situation of this character has not met with a ready compliance, both by the insurance companies and the self-insurers. We feel that it is due to both classes that this recognition be made.

### **Statistical Tables**

The statistical tables herewith submitted are arranged along the same lines and cover the same subject matter as those filed with the preceding annual report. This general form of tabulation is preserved for the sake of uniformity and in order that the tabulation for successive years may be more readily combined and the information furnished more easily available. The total number of accidents reported for the year ending September 30, 1921, is approximately 1,000 less than the number for the preceding annual period. This reduction in number occurs chiefly in temporary total disability, although in fatal accidents there is a proportionate reduction. The increases in permanent partial disabilities is largely due to the fact that the amendment of 1920 for the first time allowed compensation for the permanent loss of use of a member. Theretofore, the disability of this character was confined to actual amputations. The temporary total disabilities are apparently more severe for this period, but this is explainable by the fact that the amendatory act of 1920 increased the maximum rate of compensation from \$10.00 to \$12.00 and diminished the waiting period to ten days, and by the further fact that numbers of long-term disabilities that were not closed and could not be tabulated

in the preceding year were closed in the year under consideration, thus making a higher average of compensation for temporary total cases. The net result is that, although the total number of accidents is about 1,000 less than in the preceding year, the total compensation awarded is about \$66,000 larger.

The first table shows summaries covering the three periods reported to date, viz: first nine months of 1919, the full year ending September 30, 1920, and the year ending September 30, 1921. During that time there has been disposed of by the Commission 15,232 accidents of all kinds, of which compensation amounting to \$1,888,261.16 has been awarded. Following is a summary of the division of those accidents into the various classes of disabilities:

Temporary total .....	13,662	\$ 436,011 72
Permanent partial .....	1,161	549,667 96
Parmanent total .....	5	19,562 28
Fatal cases (including funeral expenses).....	404	883,019 20
	<hr/> 15,232	<hr/> \$1,888,261 16

This summary does not include medical and hospital service as to which we have no exact reports. This showing should be explained, however, by stating that in addition to the 404 fatal cases disposed of there were pending on September 30, 1921, fifty-five cases, some of which had not been heard, quite a number of which were cases in which there seemed to be no dependent, but the cases were retained upon the docket until the statutory period for filing claims had elapsed. It should also be observed that the temporary total accidents number 13,662, constituted accidents causing disability of more than seven days, which alone are required to be reported to the Commission. Estimating the number of cases where disability exists for a period of less than seven days and for a period of one day or more, according to the American experience tables, there would probably be 12,142 accidents of this character, thus making the total accidents experienced 25,808.

The fact disclosed by the tables that nearly 1,000 less reportable accidents are recorded for the year just ended than the preceding year would indicate a large decrease in the number of men now employed in the various industries throughout the State. From a casual observation of the reports of accidents which were received in the late summer and fall of 1921, it is manifest that average weekly wages will show a marked diminution during the ensuing year. The decrease in accidents may also be traceable to the safety work hereinafter adverted to, and to the exclusion of maritime accidents from the jurisdiction of the Commission, due to the decision of the Supreme Court of the United States in *Knickerbocker Ice Company v. Stewart*, where it was held that maritime accidents were exclusively within the jurisdiction of the admiralty courts.

As has been pointed out in the two preceding annual reports, the two tables showing the causes of accidents (Tables 14 and 15) furnish a rich source of information for the study and application of accident prevention. While the experience of each year may not give a very authoritative indication of the seriousness of various causes of accidents, the combined experience of a number of years will prove invaluable in the prosecution of such work.



### Accident Prevention

While the Commission is vested with no power or duty in relation to this subject, we have noted with great interest the efficient systems for accident prevention that have been put into operation by almost all of the large self-insurers in the State. Quite a number of them maintain departments especially charged with preaching the doctrine of safety first, of installing within their plants first aid hospitals with capable nurses constantly in attendance, and by utilizing in the plants themselves the latest devices calculated to prevent accidents. The experience of these companies has demonstrated the economy and wisdom of the practice. While all of this machinery involves considerable expense the company is benefited by greatly diminishing the number of its accidents and fatalities, which more than compensates for the outlay involved. Such carefulness and provision goes far to the creation of more cordial relations between employer and employee. These methods are worthy of the highest praise and we trust that the example thus set will be emulated by other employers.

The insurance carriers having larger coverage of compensation insurance likewise maintain an engineering and inspection department, whose duty it is to inspect the factories and work shops covered by their respective companies, and to suggest the installation of safety devices and new methods for the prevention of accident. We commend this practice to other carriers who have not yet adopted this method of accident prevention the benefits of which are so manifest. To the employer it works a diminution of premium, to the employee less liability to injury, and to the carrier a saving in compensation payments.

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TABLE No. 1—SUMMARY OF INJURIES AND AWARDS.

*October 1, 1920, to September 30, 1921, inclusive.*

	Number Cases	Days Duration of Disability	Awards
Temporary total disability.....	4,841*	186,741	\$ 214,769 83
Permanent partial disability:			
Dismemberment.....	313	91,796	\$129,589 79
Loss of use.....	171	76,099	115,488 44
Total.....	484	167,895	\$245,078 23
Permanent total disability.....	2	5,253	8,205 28
Fatal cases.....	144†		305,592 00†
Funeral expenses.....			12,906 70
Totals.....	5,471	359,889	\$786,552 04

*October 1, 1919, to September 30, 1920, Inclusive.*

Temporary total disability.....	5,834*	197,804	\$168,472 15
Permanent partial disability:			
Dismemberment.....	390	111,590	\$144,882 25
Loss of use.....	67	43,776	58,879 64
Total.....	457	115,366	\$203,761 89
Permanent total disability.....	1	2,800	3,377 00
Fatal cases.....	172		328,590 00†
Funeral expenses awarded.....			16,473 40
Totals.....	6,464	355,970	\$720,674 44

*For the First Nine Months of 1919.*

	Number of Cases	Days Duration of Disability	Awards
Temporary total disability.....	2,987*	76,659	\$ 52,769 74
Permanent partial disability.....	220	76,565	100,827 84
Permanent total disability.....	2	6,300	7,980 00
Fatals.....	88		210,810 00†
Funeral expenses awarded.....			8,647 10
Totals.....	3,297	159,524	\$ 381,034 68

\*Includes only cases that had a disability of over seven days, which are all required by law to be reported.

†Represents face value of awards made in all adjudicated fatal cases.

‡Includes 11 claims dismissed which did not arise out of and in the course of employment.

There are 55 fatal cases which are pending undisposed of. In most of these cases no dependents will appear to claim compensation, but they will not be definitely disposed of until the limitation of one year has expired on them.

From the three tables above it will be seen that there have been 459 fatal accidents since the act went into effect, of which 55 are pending.

TABLE No. 2.  
*Experience of Virginia to Date Compared with American Experience on  
 Basis of 100,000 Accidents.*

	Virginia Actual	Virginia Per 100,000	American Per 100,000
Temporary total:			
1 to 7 days.....	12,142*	44,285	44,844
8 to 14 days.....	4,690	17,106	17,696
14 to 21 days.....	2,525	9,209	10,916
22 to 28 days.....	1,727	6,299	6,246
29 to 35 days.....	1,253	4,570	4,342
36 to 42 days.....	807	2,943	2,671
Over 42 days.....	2,660	9,702	8,591
	25,804	94,114	95,306
Permanent partial.....	1,161	4,234	3,855
Permanent total.....	5	18	63
Fatal.....	448†	1,634	776
	27,418	100,000	100,000

\*These cases are not required by law to be reported and this figure is taken from the expected experience according to the American table based on cases actually reported.

†Includes 55 fatal cases, as yet unsettled, some of which may not have arisen out of employment and excludes 11 cases which did not arise out of employment.

TABLE No. 3.  
*Conjugal Condition.*  
 (Non-Fatal.)

	Temporary Total	Permanent Partial
Single:		
Male.....	1,595	181
Female.....	181	15
Total.....	1,776	195
Married:		
Male.....	2,737	267
Female.....	56	4
Total.....	2,793	271
Unknown:		
Male.....	267	17
Female.....	6	
Total.....	273	17
Grand total.....	4,842	484

TABLE No. 4.  
*Conjugal Condition.*  
(Fatal Cases.)

	Cases	Weekly Compensation	Average for Each Total Dependent
Single, widowed or divorced:			
No dependents.....	15		
Partial dependents.....	32	\$ 121 70	
Total dependents:			
1 child.....	3	33 95	\$ 11 32
2 children.....	1	12 00	6 00
4 children.....	1	12 00	3 00
Other total dependents.....	7	73 35	10 48
Total.....	59	\$ 253 00	
Married:			
Widow, no children.....	24	\$ 248 51	\$ 10 35
1 child.....	12	120 17	5 01
2 children.....	13	143 26	3 67
3 children.....	10	109 28	2 73
4 children.....	4	46 00	2 30
5 children.....	5	57 00	1 90
6 children or more.....	6	71 25	1 48
Total.....	74	\$ 795 47	
Grand total.....	133	\$ 1,048 47	

TABLE No. 5.  
*Immediate Cause of Death.*

CAUSE	No. of Cases	CAUSE	No. of Cases
General crushing.....	28	Concussion of brain.....	2
Broken neck.....	10	Rupture of internal organs.....	2
Shock.....	5	Burial in fall of earth or cave-in	2
Hemorrhages.....	3	Gangrene or blood poisoning....	2
Fractured skull (including crushing)	35	Thorax crushed.....	10
Internal injuries (indefinite).....	9	Tetanus.....	1
Gun shot.....	1	Cause unknown.....	1
Electrocuted.....	2	Lung punctured.....	2
Pneumonia.....	3	Crushed pelvic region.....	1
Broken back.....	4	Legs crushed.....	2
Burns.....	3	Oedema of lungs.....	1
Drowned.....	2		
		Total.....	133









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